For information


May 2007

This document is of interest to post-16 education and training providers, members of local authorities, local LSCs, potential promoters of new 16–19 provision and other local stakeholders with an interest in submitting proposals for new 16–19 provision in their area.
Further information
For further information, please contact the appropriate Learning and Skills Council office. Contact details for each office can be found on the LSC’s website (www.lsc.gov.uk).

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Summary

1 This guidance is designed for parties wishing to develop new post-16 provision and facilities across the further education (FE) and schools sectors. It updates, consolidates and replaces previous versions of the following documents:

- **16–19 Capital Fund: Additional guidance** (LSC, August 2006)
- **Guidance for 16–19 Competitions** (LSC, December 2005)

16–19 Policy Overview

2 In autumn 2003, the Department for Education and Skills (DfES) set out five key principles that should underpin the organisation of 16–19 provision. These cover:

- quality
- distinct 16–19 provision
- diversity to ensure curriculum breadth
- learner choice
- affordability, value for money and cost effectiveness.

3 The *Five Year Strategy for Children and Learners* (DfES, 2004) and the FE White Paper *Further Education: Raising skills, improving life chances* (DfES, 2006) built on these principles, particularly those relating to diversity and choice. The Government believes that choice is a powerful lever for driving up quality, and that it is best delivered by giving institutions greater autonomy in serving their communities so that successful provision can expand and local strengths be fully exploited. To this end, the Government introduced the following measures:

- a new 16–19 capital fund combining school and FE resources to support coherent investment in new 16–19 provision
- measures making it easier for leading 11–16 specialist schools to open sixth forms (known as the ‘sixth form presumption’)
- measures making it easier for leading FE colleges to expand their 16–19 provision (known as the ‘FE presumption’)
- competitions, decided at local level, where substantial new 16–19 provision is needed.

4 The White Paper *14–19 Education and Skills* (DfES, 2005) set out ambitious proposals to tackle low post-16 participation. The aim was that participation at age 17 should increase from 75 per cent to 90 per cent over the next 10 years. The foundation for making such progress is a transformed, coherent 14–19 phase offering a rich mix of learning opportunities from which young people can choose tailored programmes and gain qualifications appropriate to their aptitudes, needs and aspirations.

5 The concept of the system fitting the individual rather than the individual fitting the system implies a significant shift in perspective about the roles and responsibilities of providers, planners and funders of learning provision.

- Providers will need to ensure that every learner on their roll has access to a tailored learning programme drawn from a broad academic and vocational offer. Since few will have the capacity to do this alone, they will work with other providers to agree their contributions to a collectively-delivered, coherent offer that is responsive to changes in market demand and supply. The White Paper *14–19 Education and Skills* (DfES, 2005) set out plans to ensure that a prospectus of options would be made available to all young people in every area. It will be in the interests of students who are drawing learning programmes from more than one provider that institutions act together to raise the standards of
the whole. This will be an important consideration for those institutions proposing or accommodating changes in their contributions to the local offer. For many, their role as collaborating suppliers will entail a more flexible, outward-looking approach to planning and delivery.

- A key role for the LSC and local authority in any area will be to assess local need and ensure that supply is matched to demand. Where a review identifies a need for change – whether this includes changes in the way providers work together or wholesale structural change to meet the new pattern required – the local authority and LSC will work with existing providers and new promoters to develop proposals to achieve it. The solution will be decided by commissioning provision where there are gaps, or by a competition where there is a need for substantial new provision that cannot be met by a ‘presumption’ school, an FE college or an academy. Local plans will need to be capable of accommodating change in response to market developments – in both demand and supply (for example, new school and academy sixth form or college provision).

**How to Use this Document**

6 This document has been written for several audiences. Readers will require only those sections that are relevant to their proposal:

- High-performing specialist schools: see 1: 16–19 Capital Fund and 3: Sixth Form Presumption Policy.


- Looking to enter a competition: see 1: 16–19 Capital Fund and 2: Guidance for 16–19 Competitions.

- Other proposals: see 1: 16–19 Capital Fund.
1: 16–19 Capital Fund

Introduction

7 The 16–19 Capital Fund is administered by the Learning and Skills Council (LSC) and brings together LSC and DfES dedicated 16–19 capital funding.

8 This guidance document sets out the arrangements for the submission, assessment and determination of applications to the 16–19 Capital Fund, as they will apply from 2007–08. The LSC is currently accepting applications to the 16–19 Capital Fund.

Aims

9 The 16–19 Capital Fund (the Fund) has been developed to support the needs of communities and learners. The Fund:

- supports coherent investment in projects to deliver new post-16 education and training provision
- facilitates certain joint initiatives across schools and colleges in response to local needs, in the context of 14–19 provision
- is complementary to and aligned with other capital funds that can be used to develop 16–19 provision.

Total Available Funding

10 A total of £180 million of funding is available for 2007–08. Further funding will be made available in subsequent years and will be announced in due course.

Scope of Funds

11 The 16–19 Capital Fund primarily addresses college and school capital projects that lead to a strategic expansion of 16–19 provision and offer a material increase in new 16–19 school or college places (normally at least 50 full-time places).

12 Applications will come forward for different reasons, but mostly for one of the following.

- They will be from high-performing 11–16 specialist schools that meet the DfES criteria for the establishment of a school sixth form (referred to as the ‘sixth form presumption’ – see 3: Sixth Form Presumption Policy for more information).
- They will be from high-performing FE colleges that meet the DfES criteria and wish to expand to deliver new 16–19 vocational provision (referred to as the ‘FE presumption’ – see 4: FE Presumption Policy for more information).
- They will arise from the outcome of a 16–19 competition (see 2: Guidance for 16–19 Competitions for more information).
- They will address inspection or LSC and local authority review outcomes such as a requirement to increase participation in an area, or area-wide reorganisation to raise standards and/or promote choice. The latter is the only circumstance in which the fund might be applied to the capital needs of redeveloping existing places – but only as part of a wider proposal targeting new places.
- They will address strategic needs not previously identified in an LSC review or other form of inspection.
There are many types of proposal that may be eligible, including:

- 11–16 specialist schools with proposals to add a sixth form
- FE sixth form colleges and other FE colleges with proposals for a strategic increase in 16–19 provision
- 11–16 non-specialist schools with proposals to add a sixth form
- 11–19 schools with proposals for a strategic increase in the size of their sixth forms and not eligible to apply for other DfES-sponsored programmes
- proposals for the creation of a new local-authority-maintained sixth form centre
- proposals for the creation of a new FE sixth form college
- proposals for new 16–19 provision for learners with learning difficulties and/or disabilities, including facilities in specialist colleges and special schools for learners with learning difficulties and/or disabilities
- established academies with proposals to expand their 16–19 provision.

The above list is not definitive and there may be other types of proposals that will be eligible to receive funding.

To remove any doubt, the following categories are not eligible:

- the modernisation and repair needs of existing sixth form places in schools, including works to address existing overcrowding (this will continue to be covered by formulaic modernisation funding to local authorities and schools)
- the 16–19 elements of schools projects in the Building Schools for the Future programme (as this is a secondary school rebuilding programme), specifically the replacement of existing school sixth form buildings
- the 16–19 element in new 11–19 academies
- investment solely in equipment or ICT
- development to deliver 14–16 provision, whether in schools, colleges or academies

- FE college modernisation or campus renewal schemes with a 16–19 element that are not specifically addressing area-wide reorganisation or increasing participation or otherwise identified as high-priority outcomes of a review or inspection process. Such projects will continue to be funded from the LSC’s FE capital budget.

Annex A sets out criteria for the approval of proposals and Annex C gives examples of eligible proposals.

Application Process and Capital Criteria

If you wish to apply to the 16–19 Capital Fund you should contact your LSC partnership director. He or she will work with you to develop your proposal and, if necessary, help you to complete the application. You will find guidance on how to complete the application form and the application form itself in Annexes D and E respectively. It is important to contact the LSC at an early stage, to avoid abortive costs and to ensure an efficient approval process.

Once you have submitted your application, the LSC will assess it against the criteria listed in Annex A. The application will be reviewed initially by the LSC partnership team, assisted by the LSC regional property advisor and the LSC regional provider financial management team. The LSC partnership director and regional property advisor, in particular, will be available to liaise with local authorities (LAs), schools and colleges as to the LSC’s requirements and criteria before and after the submission of applications.

Once an application has been assessed as meeting the project criteria, it will proceed to the approval stage. Applications will be determined for approval by either the LSC National Capital Committee or the appropriate LSC regional board.

Proposals will have to be prioritised if the overall demand for funds in the current financial year exceeds the funds available. This will then affect the timing of the release of funds. Annex A sets out the prioritisation criteria, which may change in future years.

If an application does not meet the criteria and is not forwarded for approval, there will be an opportunity for feedback.
Level of Grant Support

21 The percentage level of grant support available will vary according to the circumstances of each approved application.

- Funding will be at the rate of up to 100 per cent for community, voluntary-controlled and foundation schools and academies, and up to 90 per cent for voluntary-aided schools if no other resources are available.
- New sixth form centres within existing FE colleges will be subject to the LSC’s usual affordability criteria. They may receive a lower percentage level of grant support if other capital sums are available to help fund the development, or if borrowing can pay for some of the costs. This also applies to applications approved as a result of the FE presumption.

22 You will find further details about the determination of grant levels in the guidance that accompanies the application form (Annexes D and E). It is normally expected that in the case of applications from schools and LAs, the LA will provide the land.

Payment of Grant

23 The grant is usually paid during the period of project expenditure. The grant for a project approved in 2007 would usually be paid in 2007–08 and 2008–09. For FE colleges, the arrangements for the payment of grant are the same as the arrangements for the payment of FE capital funding as set out in the LSC Capital Handbook (LSC, November 2006). FE colleges will, if eligible, be able to receive fee support towards the cost of the project, as set out in the LSC Capital Handbook.

24 For applications from schools and LAs, the grant will usually be paid monthly against a profile with regular reconciliations of grant payments against expenditure incurred. Schools and LAs whose applications are successful will be entitled to receive grant payments for fee costs incurred before the letting of the main building contract. Annex F contains further details about the payment process.

Eligibility of Providers

25 Applications will be accepted from or on behalf of individual schools, LAs, diocesan and equivalent authorities, higher education (HE) institutions and colleges, either individually or as leaders of consortia. Such consortia may include any or all of these categories, as well as other private sector providers such as private schools and work-based training providers.

Faith Providers

26 Faith schools are often popular with parents and play a valuable role in local communities. Their contribution in terms of providing choice and diversity, where they have the agreement of parents and the local community, is recognised. It is important to ensure that a faith school’s post-16 provision contributes to the quality of provision in its area, and that it collaborates with other local providers. The maximum level of eligible grant support for such voluntary-aided schools is normally 90 per cent of the cost of the project.

14–16 Provision

27 Applications should be for the development of new 16–19 places. However, we recognise that the joining up of pre- and post-16 provision is desirable in the context of the 14–19 reforms. Therefore, these places may also be made available for 14–16 purposes, as long as this use is incidental and ancillary to the delivery of the 16–19 provision for which the Fund caters. Where appropriate, the 16–19 Capital Fund can be used in conjunction with other capital funding sources where the 16–19 capital application forms part of a larger proposed development that caters for provision outside the 16–19 remit.

Timetable

28 The LSC will accept applications from the date of publication of this guidance. Once an application is received, it will progress through the assessment and approval procedures. The length of time this takes depends on the size of the proposal, but is unlikely to be less than three months. We process applications continuously. However, in the case of ‘presumption’ proposals, we strongly recommend that applications are put to the LSC within six months of becoming eligible. This will ensure that the process is as fast and efficient for users as possible.
2: Guidance for 16–19 Competitions

Introduction

29 This section describes the process that the LSC will follow in running 16–19 competitions and provides guidance for LAs, LSC offices, potential promoters of new 16–19 provision and other local stakeholders with an interest in submitting proposals for new 16–19 provision in their area.

30 It sets out:

- the circumstances in which a competition will be held
- the process to be followed, including timescales
- the criteria for assessing promoters’ proposals
- the core information that promoters will need to provide.

Context

31 Competitions for new 16–19 provision will be run and decided at local level, where substantial new provision is needed. Competitions will:

- be an open and transparent means of commissioning new provision to meet identified need in an area
- help open up the market to a wider range of providers, including new providers, to increase choice and diversity of learning setting
- help ensure that new 16–19 provision enhances learner access to the curriculum breadth to support the 14–19 agenda.

Circumstances in Which a Competition Will be Held

32 Competitions for new 16–19 provision will be held where there is:

- a basic need for 200 or more new 16–19 places over a two-year period, to improve quality and/or to improve the balance of provision in an area; and
- no proposal to meet that need under the sixth form or FE presumption arrangements (see sections 3 and 4 of this document) or from an academy proposal that has a Memorandum of Understanding in place.

Local Needs

33 Inspections and reviews will locate gaps that new providers, partnerships, or a different mix of curriculum could help fill. These reviews will therefore usually be the starting point for 16–19 competitions. A review will outline what an area needs in terms of new provision, which should be defined more closely as one or more of the following:

- additional provision to meet increased learner numbers
- different provision, involving, for example, an adjustment to the vocational and academic balance
- better provision in terms of quality.

34 New provision is defined as provision that is created to tackle issues such as young people not in education, employment or training (NEET) or the need to increase choice, rather than to displace existing students from other providers.

35 In areas that require greater institutional choice or a substantial increase in, or enhanced mix of, 16–19 provision to meet local needs, competitions will be held to improve choice and bring in new providers. These competitions will be open to schools and colleges, and to private sector and other sponsors. The objective is to open the market and encourage greater diversity of bids, and to establish a manifestly fairer, more democratic local process.
36 The LSC will determine the geographical area for which a competition is required to improve institutional or curriculum choice. This may, for instance, encompass the whole LSC area, an area covered by an LA, or a specific urban or rural area.

37 As well as selecting geographical areas, the LSC will consider whether competitions will be beneficial and appropriate in meeting the needs of particular cohorts of young people who might be disadvantaged – for example, underachieving or non-participating groups of learners.

Substantial new 16–19 provision

38 Demand for substantial new 16–19 provision could arise from one or any combination of the following:

- a need for additional places (200 or more new 16–19 places over a two-year period – at LSC discretion if fewer)
- a need to reconfigure provision to raise participation to meet local, regional or national targets
- a need to reconfigure provision to raise attainment to meet local, regional or national targets
- a need to reconfigure provision to raise standards
- a need for better quality of provision to improve choice
- a need for a better balance of provision to improve choice
- a need to encourage collaboration in an area by supporting the diversity of bids through a fair, democratic local process.

39 Competitions may also be required where there is a need for one or more new 16–19 centres, and may be necessary for the expansion of existing 16–19 provision to meet local need.

What types of proposal?

40 A key criterion for assessing competition entries will be how far proposals help to increase the range and quality of the local offer, and how new providers will collaborate with others in delivery. It is expected that any new institutions or centres will work in a collaborative framework with existing 16–19 providers, so that the individual strengths of all partners can collectively provide high-quality 16–19 provision of sufficient breadth. Promoters will be expected to have developed a collaboration plan for their proposal.

41 Where a formal partnership involving more than one provider is proposed to meet the need for new 16–19 provision, a lead partner should be designated and the proposal should be entered as a single bid in the competition. Innovative partnership proposals involving private sector promoters will need to have a publicly-funded organisation such as a school or college as the lead partner, through which the funding will flow.

42 The competition specification could be met by:

- setting up a sixth form and/or college consortium arrangement
- other 16–19 collaborative arrangements – for example, private training providers or independent schools working in partnership with existing local 16–19 providers
- expanding an existing 11–18 or 16–19 school, 11–18 academy, 16–19 academy, sixth form college or distinct 16–19 centre within a general FE college
- adding a sixth form to an existing 11–16 school or 11–16 academy
- establishing a new 16–19 school, sixth form college, distinct 16–19 centre within a general FE college, or 16–19 academy
- other innovative proposals from new types of providers.

Process

43 The stages in running a competition are:

- identifying need
- publishing a notice inviting proposals to meet the specified need
- a period of four calendar months for submitting competition entries
- publishing a summary of all competition entries
- a six-week representation period for responses to the published summary
- consideration of entries by the local stakeholder panel
- LSC consideration of panel advice and decision within six weeks of the close of the representation period
• LSC communication of its decision to all proponents within one week of its decision

• any challenge to the decision of the LSC to be received in writing by the LSC Solicitor (copied to the LSC Chair) within two weeks of the communication of that decision

• any challenge referred to the national LSC Reorganisations Committee to be considered within six weeks of receipt of the written challenge by the LSC’s Solicitor.

Identifying need

44 Based on the findings of reviews or inspections, the LSC will decide where there is a need for substantial new 16–19 provision requiring a competition. In line with the Government’s 14–19 agenda, the LSC will wish to consider proposals offering institutional choice to learners and enhanced curriculum breadth and balance where there are identified needs. The LSC will also wish to consider how proposals will contribute to meeting the needs of employers.

Publication of the initial notice inviting proposals

45 The LSC will publish a notice in at least one local and one national newspaper or publication specifying the need. This notice will be a summary of the Statement of Need described in paragraph 47. The notice will state the geographical or target group area to be covered and the appropriate range of curriculum provision required, but not the institutional solution. It will invite sponsors to submit proposals to meet the specified need and to notify the named LSC contact of their intention to do so (see Annex G).

46 The initial public notice specifying the need will invite interested parties to submit proposals within four calendar months of the last date of publication. Where this notice is placed in two or more newspapers that are published on different dates, the latest of these will be taken as the publication date. The period of four calendar months should be extended to take account of holiday periods.

47 The LSC will also prepare a Statement of Need (the Statement). This will set out the findings of the inspection and/or other area review(s) – that is, a broad outline of what is needed in the local area (which the statement will define) in terms of new provision. The Statement will define such new provision more closely as one or more of the following:

• additional provision to meet increased learner numbers

• different provision, involving, for example, an adjustment to the vocational and academic balance

• better provision in terms of quality.

Submitting proposals

48 Four calendar months will be allowed for promoters to submit proposals based on a prescribed set of required information (see Annex J). During this time, the LSC may decide to hold public forums for prospective bidders, to outline the need and aspirations of the competition and to explain the process. Such events would be in addition to the process and need not affect the published timescales.

Publication of the notice summarising proposals received and representations period

49 At the end of the period for receipt of proposals, the LSC will publish a notice setting out summary information of the proposals received and the review findings that led the LSC to invite proposals. The notice will invite respondents to apply to the LSC for full details of the proposals so that they can comment on them. (See Annex H, which sets out the matters to be specified in a notice inviting comments.) The publication of this notice will initiate a six-week consultation period in which the LSC can receive supportive comments, objections or other types of feedback.

50 The notice should specify who at the LSC will receive comments of support, objection or any other kind, and the date that the six-week consultation period will end. As with the initial submission period of four calendar months, the six-week representation period should take account of holidays and should not commence during the summer holidays.

Local stakeholder panels

51 At the end of the representation period, local LSCs will convene a local stakeholder panel in each area where a competition is to be held. The panel will meet to:

• consider the proposals received and representations made
• assess the proposals against the criteria
• make a recommendation to the relevant LSC on its preferred proposal.

52 The panel will be chaired by an LSC representative, who will have the casting vote should one be required.

53 The composition of local stakeholder panels will be for the LSC to decide. But each panel should include representation from the LA, employers, school and college governing bodies, HE, Connexions and local faith authorities (as appropriate). In establishing the stakeholder panels, the LSC will look out for possible conflicts of interest. Where conflicts of interest do exist, the LSC will, in keeping with the local focus of the panel, seek to balance these across bidders. Panel members should declare any conflict of interest and be reminded that their purpose is to use their professional judgement to establish which, if any, of the bids received best meets the identified need when considered against the criteria.

Deciding on the competition winner

54 Within six weeks of the close of the representation period, the LSC will meet to:

• consider the proposals received against the criteria set out in the guidance (see paragraphs 64–66 of this section) and in the published specification
• consider representations made
• note the proposal recommended by the local stakeholder panel
• decide the result of the competition.

Communicating the result

55 Within one week of its decision, the LSC will communicate the result of the 16–19 competition in writing to all proponents and key local stakeholders, setting out the reasons for its decision.

Challenges to the LSC decision

56 A proponent may challenge the decision of the LSC only in exceptional circumstances, on one of the following grounds.

• The LSC did not follow the published process in carrying out the competition.
• The LSC’s decision was not one that it was reasonable to make, taking account of the criteria and the information made available, including the recommendation of the local stakeholder panel.

57 The challenge will be considered by the LSC’s Solicitor, who may then refer it to the national LSC Reorganisations Committee.

58 A proponent wishing to challenge the LSC’s decision should write to the LSC’s Solicitor (copying the letter to the Chair of the LSC) within 14 days of being informed of the result of the competition. The letter should set out the grounds of the challenge and provide supporting evidence.

59 Where the LSC’s Solicitor is satisfied that the challenge is made on one of the grounds set out in paragraph 56, the national LSC Reorganisations Committee will consider the challenge within six weeks of its receipt at LSC National Office.

What if no Suitable Proposals Come Forward?

60 If no proposal – or no proposal meeting the criteria – comes forward by the competition’s closing date, the competition process will be deemed to have been completed. The LSC may then put forward its own proposal to meet the identified need. Where this requires a decision by the Secretary of State for Education and Skills (the Secretary of State), the statutory process will then be followed.

Academies

61 Where an existing 11–19 academy proposal would fill the identified gap in provision, no competition will be held. Where such an academy proposal comes forward after a competition has been announced, it will follow the same process as all other entries.

62 Where an 11–16 academy submits a proposal as part of a 16–19 competition, in-principle agreement from the Secretary of State to extend the academy’s funding agreement will need to be obtained before the result of the competition can be decided in favour of the academy proposal.
If negotiations between the academy promoter and the DfES break down during the competition process, the LSC will consider other bids (if they have not been withdrawn) or run a new competition.

Criteria

Proposals for the reorganisation of provision should address ministers’ five key principles underpinning the organisation of 16–19 provision:

- quality
- distinct 16–19 provision
- diversity to ensure curriculum breadth
- learner choice
- affordability, value for money and cost effectiveness.

Core questions against which proposals arising from 16–19 competitions will be assessed include the following.

- How far will the proposal ensure effective collaboration with existing providers and complement existing provision as part of a locally coherent system?
- Will there be an adverse impact on existing, successful local 16–19 provision?
- How will the proposal ensure a broad range of sustainable provision?
- Where appropriate, how will the proposal meet the need for additional 16–19 learners?
- How will the proposal increase levels of participation and/or increase attainment at Levels 2 and 3 to meet local, regional or national targets? (Note: The summary of the Statement of Need will specify which targets are to be met.)
- How will the proposal enhance institutional and curriculum choice?
- How far will the proposal contribute to delivering the Diploma lines?

Possible additional criteria

The LSC could, from time to time, decide on additional criteria to be applied in the light of local circumstances. While there is a need for core criteria, the criteria for deciding the result of a competition should also reflect the area’s particular needs. Weightings may be given to individual criteria to reflect their importance locally.

Core information

Annex J sets out the core information (against the questions listed above) that will be required of proposals submitted for 16–19 competitions.

Subsequent Statutory Proposals

Once a 16–19 competition has been decided, some of the winning proposals – for instance, those that will establish new 16–19 institutions or sixth forms – will need to go through statutory processes.

Winning proposals will subject to further statutory requirements.

- For a proposal for a new school sixth form, the governing body must consult interested parties and publish a statutory proposal. There must then follow a statutory four-week period for objections and comments before the proposal can be submitted to the school organisation committee – or, from May 2007, the LA – for decision.
- For a proposal made by the LSC to change school sixth form provision, there must be a further two months’ preliminary consultation followed by two months’ final consultation.
- For a proposal to set up a new FE corporation, there must be a further one-month consultation period, beginning at least four months before the corporation is to be established.
- For a proposal to open an academy, there must be at least nine months’ consultation between the feasibility and funding agreement stages.
16–19 Capital Fund

70 It is expected that the reasonable capital costs of proposals that win 16–19 competitions will be funded from the 16–19 Capital Fund, where such funding is not likely to be available from the DfES Building Schools for the Future programme or from other DFES or LSC funding streams. Project proposals arising from competition outcomes should meet the threshold and other criteria for entry to the 16–19 Capital Fund, and implementation will be subject to the availability of capital funds from year to year.
3: Sixth Form Presumption Policy

71 The ‘sixth form presumption’ is one of the measures introduced in the DfES’s Five Year Strategy to increase national capacity post-16. Under this arrangement, there will be a presumption of success for proposals to open sixth forms from:

- a specialist school that meets the published criteria for high-performing specialist school status and is awarded a vocational specialism
- a school, whether specialist or not, that meets the high-performing specialist school criteria and does not require additional capital resources
- schools in a federation in which one of the schools meets the high-performing specialist school criteria but where any of the federated schools already has the capital resources to support the proposal.

72 All schools wishing to open new sixth forms will be required to publish statutory proposals. Statutory proposals are currently decided by the local school organisation committee (SOC), except where the SOC cannot agree a unanimous decision, in which case they will be decided by the schools adjudicator. Under the Education and Inspections Act 2006, SOCs will be abolished and the LA will become the decision-maker for all statutory proposals, although schools will have some rights of appeal to the schools adjudicator. This change will come into force in May 2007. The DfES’s statutory guidance for decision-makers includes a presumption to approve proposals that meet the criteria outlined in paragraph 71. The ‘high-performing’ criteria for 2006 and a list of specialist schools with their specialisms and high-performing roles can be found at the DfES standards site (www.standards.dfes.gov.uk/specialistschools).

73 The sixth form presumption will apply for 12 months from the date that schools funding for the vocational specialist status has commenced. In practice, this will mean that specialist schools will need to publish their sixth form proposal and submit it to the SOC (or the LA after May 2007) for decision within a year of that date.

74 All other schools that qualify for the presumption will need to publish and submit statutory proposals for new sixth forms. They too will have to submit proposals for decision within a year of meeting the eligibility criteria set out above. Details of non-specialist schools that meet the high-performing specialist schools criteria are available from:

Sharon Louis
Department for Education and Skills
Sanctuary Buildings
Great Smith Street
London SW1P 3BT
Tel: 020 7925 6627.
These will be updated annually in line with the specialist school redesignation timetable.

75 All proposals for new sixth form provision should meet the following criteria.

- They should be of sufficient size and quality to deliver a range of courses appropriate to the needs of the likely intake, either on their own or through planned collaboration arrangements. Schools will be encouraged to work with their LA, which has strategic responsibility for planning 14–19 provision, and with the LSC, which has responsibility for funding and places. Schools with new sixth forms will be expected to meet Ofsted’s standards of quality and effectiveness.
Proposals should be considered in the context of local supply and demand for sixth form places. This will include the need to work in collaboration with neighbouring providers to raise standards across the area and meet the needs and preferences of young people, parents and the business community. Particularly where a school opts for a vocational specialism, partnerships with other schools and institutions such as FE colleges – including centres of vocational excellence – and work-based learning providers will be central to delivery.

Proposals will need to show that the proponents have taken account of the views of parents, both in the school and in the community.

Figure 1: Sixth form presumption process.
The FE White Paper *Further Education: Raising skills, improving life chances* announced a commitment to ensuring that the most effective colleges are able to expand provision to deliver Diplomas on the same basis as the most effective schools. Therefore, a presumption corresponding to the sixth form presumption has been introduced. It means that high-performing FE colleges and sixth form colleges will be able to expand their provision for 16–19 year olds in order to deliver Diplomas.

Expansion plans from FE institutions that meet the criteria will be fast tracked if the project is for fewer than 500 places and has a total cost of less than £10 million. All applications will be subject to the LSC’s usual affordability rules. The FE presumption process will prioritise bids for 16–19 capital funding from existing successful FE colleges (incorporated colleges of all types) wishing to expand to deliver Diplomas across 14–19 provision. The LSC will prioritise these proposals alongside proposals under the sixth form presumption arrangements, and over and above 16–19 competition winners.

As with the sixth form presumption, the threshold for designation as high performing will be deliberately high. To qualify for the FE presumption, FE colleges must have received a grade 1 (Outstanding) at Ofsted inspection for overall effectiveness since September 2005, and provide a supporting statement and evidence that they have consulted the LA and the LSC on their plans.

Where a college opts to expand under the FE presumption, collaborative working arrangements with local partners, such as schools, work-based learning providers and other FE colleges will be central to delivery of the 14–19 reform programme.

Colleges will wish to consider their proposals in the context of local supply and demand for post-16 places and the need to work in collaboration with neighbouring providers to raise standards across the area and meet the needs and preferences of young people, parents and the business community. Colleges that expand under these arrangements will be expected to continue to meet Ofsted’s standards of quality and effectiveness.
Annex A:
Criteria for the Approval of Applications

Introduction

1 This annex lists the criteria to be used in assessing and prioritising applications to the 16–19 Capital Fund administered by the LSC. The criteria can be split into two parts:

- the validation criteria that all applications need to meet in order to be eligible for 16–19 capital funding
- the prioritisation criteria used to prioritise funding in case the demand for funding is greater than the funds available in any given year.

Each set of criteria is then divided into three broad categories:

- education
- property
- finance.

Validation Criteria

Education Criteria

2 All applications that come forward as a result of winning a 16–19 competition, or as a result of having met the presumption criteria, will usually be regarded as meeting the education validation criteria for capital funding.

3 Any application that does not come by either of the above routes will be assessed against the following criteria:

   a whether it addresses at least one of the following:

   - a need for at least 50 new full-time equivalent additional places

   - a need, identified by an inspection or similar review process, to reconfigure provision to improve choice and raise standards, participation or attainment to meet local, regional and national targets

   b whether it is consistent with existing LSC, DfES, LA and other appropriate forward processes or planning documents, in particular:

   - LSC review process
   - LSC regional capital strategy
   - LSC local capital plan
   - joint area reviews
   - college property strategy (FE colleges only)
   - college development plan (FE colleges only)
   - LA asset management plans (schools only)
   - Building Schools for the Future proposals and plans (schools only)

   c the extent to which the proposal will:

   - ensure effective collaboration with existing providers and complement existing provision as part of a locally coherent system
   - help ensure a broad range of sustainable provision
   - meet the basic need for additional 16–19 learners
   - increase levels of participation among 16 and 17 year olds in full-time education and/or increase attainment at Level 3 by age 19
• enhance institutional and curriculum diversity and choice
• raise standards
• engage new providers.

Educational statement for FE presumption policy

4 Any application that comes forward under the FE presumption arrangements must be accompanied by a supporting statement from the provider. This statement should describe the ways in which the provider plans to collaborate with local partners, in terms of both delivering 14–19 provision and raising standards across the local area. Each provider will also have to describe its vision for its institution.

5 In drafting a supporting statement, colleges should follow the guidelines below. Each statement should demonstrate:

• a clear vision for the college
• the college’s successful track record in its chosen specialist curriculum area
• the current or planned level of engagement with employers and HE providers
• the college’s history of delivering vocational education and training
• how the college consults the LA (or LAs), schools and other key stakeholders
• how the college proposes to increase capacity and address staff development needs
• the current and planned partnerships across the local area
• robust proposals for curriculum planning and teaching across partners, and for transport and pastoral care for learners
• challenging targets for improvement and quality assurance arrangements (including those across the partnership) that the college has planned
• how the proposed expansion fits with other providers’ planning across the local area and the range of Diplomas on offer.

6 The LSC will judge each supporting statement against the above guidelines. For a proposal to succeed, it will need to provide robust information to support its claims.

Property criteria

7 All applications will have to satisfy the LSC’s property criteria, including those addressing:

• building costs and value for money
• floor space utilisation
• design, quality and sustainability and BRE’s Environmental Assessment Method (see Annex K)
• arrangements for the procurement and administration of the project
• confirmation of planning consent arrangements for the project
• project design and costings
• eligibility of the proposed works (for example, they should not be maintenance works, or temporary in nature).

Financial criteria

8 All applications will have to satisfy the LSC’s financial criteria. Applications will need to include:

• a completed investment appraisal, based on satisfactory assumptions, showing that the proposal produces a positive net present value
• confirmation that the project can be financed over the construction period
• confirmation that all appropriate alternative funding routes have been considered
• confirmation that the remainder of the funding is available if the level of grant support is less than 100 per cent of the cost of the proposal
• confirmation of the future financial solvency of the applicant.

Determination of the level of capital funding

9 Please note that the above criteria relate to the approval of the project for funding, not to the appropriate level of grant funding. The percentage level of funding that is approved for any application will depend on the type of project and the status of the institution or organisation that is proposing it. Table A1 explains how this works.
Table A1: Determination of the level of capital funding.

<table>
<thead>
<tr>
<th>Type of proposal</th>
<th>Normal level of grant support</th>
</tr>
</thead>
<tbody>
<tr>
<td>School sixth form (including 11–19 academies)</td>
<td>Up to 100%</td>
</tr>
<tr>
<td>Voluntary-aided school sixth form</td>
<td>Up to 90%</td>
</tr>
<tr>
<td>FE college or other provider</td>
<td>Variable %</td>
</tr>
</tbody>
</table>

10 An FE college or other provider that does not come under any of the other proposal types listed in Table A1 will need to supply an affordability assessment so that the LSC can determine the level of grant support.

Prioritisation Criteria

11 If a 16–19 Capital Fund application meets all of the validation criteria listed above, then – assuming that funds are available – it will be approved. The timing of the release of capital funds will depend on the overall demand on the 16–19 Capital Fund. If demand for capital funding in any given round or year exceeds the funds available, the prioritisation criteria will be applied. The prioritisation criteria will be made up of a matrix of ranking criteria encompassing education, property and finance. The prioritisation will take place at a national level. Key factors in each of the categories are indicated below.

Education criteria

12 Applications will be prioritised according to the type of proposal, ranked in the following order:

- new 16–19 FE or school provision under presumption arrangements
- competition winners
- proposals resulting from a review or inspection
- other proposals considered against LA and LSC priorities.

Property criteria

13 All applications will be prioritised based on the following criteria:

- building cost and value for money
- efficient use of floor space
- readiness to proceed and deliver the project.

Financial criteria

14 All applications will be prioritised based on the following criteria:

- the net present value of the investment divided by the total project cost
- the project cost per each new 16–19 place (total project cost divided by the number of new places)
- the capital grant per each new 16–19 place (total capital grant divided by the number of new places).

Prioritisation and scoring

15 In each of the three categories in paragraphs 12 to 14, points will be allocated and averaged out and then weighted, before being added together to reach a final score that can be compared with those of other projects.
Annex B: Frequently Asked Questions

Q1 Will revenue funding for the increase in 16–19 provision be guaranteed for all projects at the time of the capital approval?

Part of the assessment of an application will include a review of the financial assumptions, including the likely availability of future revenue participation funding for new learners. It is therefore expected that revenue funding will be available if the project application has been agreed. This will be subject to the LSC’s ongoing 16–19 funding arrangements for colleges and schools.

Q2 Where can I find the criteria for high-performing specialist schools to qualify for the sixth form presumption?

The criteria for high-performing specialist schools are available from the DfES (www.standards.dfes.gov.uk/specialistschools/).

More information about the sixth form presumption policy is in section 3: Sixth Form Presumption Policy.

Q3 If an FE college is intending to modernise its existing facilities and expand its 16–19 provision, should it apply to the 16–19 Capital Fund, the FE Capital Fund, or both?

FE colleges applying to the LSC for capital funds will have to show the extent to which the application will support new 16–19 places. For those proposals including more than 50 new 16–19 full-time equivalent (FTE) places, the LSC may, at its discretion, allocate funding from the 16–19 Capital Fund in proportion to the number of FTE places proposed. FE colleges will only need to submit one capital application in these circumstances. Proposals with more than 200 new 16–19 FTE places will, of course, be subject to the 16–19 competition arrangements.

Q4 Are there any restrictions on the total cost of a capital proposal?

There are no restrictions on the maximum cost of any proposal, although all proposals will be subject to value-for-money assessments. There is, however, a minimum cost threshold of £100,000. All applications will also have to meet the cost standards outlined in the application form guidance in Annex D.

Q5 Will private schools or training providers be able to apply to this fund?

Private schools and training providers can currently apply to the 16–19 Capital Fund as part of a consortium.

Q6 Can a school apply to the 16–19 Capital Fund for a new building to accommodate fewer than 50 new learners?

No. All applications to the 16–19 Capital Fund should be for the capital cost of providing new places for at least 50 16–19-year-old learners. This means that all applications should be for at least 50 additional places within the school or college. The growth in learners should be achieved within a period of three years. The only proposals for fewer than 50 places that will be accepted are those from special schools or specialist colleges for learners with learning difficulties and/or disabilities.

Q7 What sort of provision for learners with learning difficulties and/or disabilities will the 16–19 Capital Fund support?

The 16–19 Capital Fund will support proposals to build facilities in specialist colleges and special schools for learners with learning difficulties and/or disabilities. However, in the light of the LSC’s strategy for its planning and funding of provision for learners with learning difficulties
and/or disabilities, Learning for Living and Work (LSC, 2006), such proposals should not normally, at this stage, include proposals for residential provision.

Q8 What is meant by the term ‘new learners’?

In this context, ‘new learners’ means additional learners over and above the number of learners that the applicant is already catering for at the date of application. These can be divided into the following categories:

- new learners as a result of increasing participation
- new learners as a result of demographic increases in 16–19 year olds within a local area
- new learners (to the provider) as a result of displacing learners from a neighbouring geographical area (but see Q9 below)
- new learners (to the provider) as a result of displacing learners from neighbouring providers (but see Q9 below).

The primary purpose of the 16–19 Capital Fund is to fund new learners as defined in the first two bullet points above. However, a secondary purpose is to fund the capital costs of the strategic reorganisation of 16–19 provision within a local area. Such reorganisation will have been identified by a review process, and will be aimed at improving choice, raising standards, or meeting local, regional and national targets. In these circumstances, an application that results in displacement of learners from other providers may be eligible, since those learners will be classed as new to the applicant provider.

Q9 Under what circumstances can a proposal come forward for the reorganisation of provision that includes the displacement of learners from other providers?

Such a proposal will be eligible for funding if it is the result of a competition, or if a review has identified it as an option and it meets the criteria set out in Annex A.

In exceptional circumstances, a proposal that has not resulted from a competition or a review, but has the full support of the LSC and LA, could come forward as long as it meets the criteria used to determine an area review outcome. These criteria include:

- the need to raise standards
- the need to improve choice
- the extent to which the proposal ensures effective collaboration with existing providers as part of a locally coherent system
- the distance between the applicant and the other providers from which the provision will be displaced
- the extent to which the proposal for the expansion of a sixth form is proportionate to the 11–16 learner numbers for that school.

Q10 What is meant by ‘improving choice’ in this context?

The Government believes that choice and diversity of institutional type and curriculum offer drive up participation, retention and attainment in local areas. Choice is best delivered by giving institutions greater autonomy in serving their local markets, so that successful provision can expand and local strengths be fully exploited. A key role for the LSC and LA in any area will be to assess local need and ensure that supply matches demand, while making sure that local plans are flexible enough to accommodate change in response to market developments (for example, a new school or academy sixth form or college provision).

Q11 What is meant by the extent to which the proposal ensures effective collaboration with existing providers?

Since few institutions will be able to provide all the opportunities that 14–19 year olds need, proposals should show the contribution that individual institutions will make to a high-quality, broad-based offer to young people in the area. All applications should result in an integrated curriculum plan over the travel-to-learn area. This will usually involve working collaboratively with other local providers, particularly those within their local 14–19 partnership. Other local providers should always be consulted on a proposal.
Q12 Is there a specific distance between providers above which the displacement of learners is acceptable?

No. It is up to the LSC, in consultation with the LA and other partners, to determine whether or not the travel-to-learn distances are great enough to justify a proposal for new provision that may lead to the displacement of learners from providers outside the local area.

Q13 Does the proposal have to be for a new building?

As the main purpose of the 16–19 Capital Fund is to expand 16–19 provision, most applications are expected to be for new buildings to accommodate additional learners. However, a proposal could include the modernisation of existing buildings that have been made available to the applicant, or a building that is currently being used for 11–16 provision and is surplus to requirements.

A proposal for the modernisation of existing buildings that the applicant is currently using for 16–19 education will not normally be eligible. Such refurbishment is classed as modernisation, which is specifically excluded from the 16–19 Capital Fund. The only exception is where an existing building requires a minimal amount of refurbishment to allow the construction of a new building that is to be attached to it. The extent to which this is permitted will be decided by the LSC regional property advisor who assesses the proposal in question.

Q14 What is the role of the local authority?

LAs are crucial to the successful delivery of 16–19 provision. LAs will take a strategic overview of 16–19 provision in their area and will work closely with the LSC to assess local need and ensure that supply is matched to demand. LAs should ensure that plans are capable of accommodating change in response to market developments (for example, new school or academy sixth form or college provision). Proposals for new provision and capital funding will usually require the support of the LA. The LSC will require evidence of this support in writing.

When the provisions of the Education and Inspections Bill 2006 come into force (expected May 2007), school organisation committees (SOCs) will be abolished. LAs will then be responsible for decisions on statutory proposals from schools, but schools will have some rights of appeal to the schools adjudicator.

Q15 Does a school’s application proposing a new sixth form have to be approved by the LSC before the statutory proposal is submitted to the SOC (or, from May 2007, the LA) for a decision?

Yes, if the project requires LSC funding. The SOC will not approve a statutory proposal for the creation of a new school sixth form if the LSC has not agreed the capital funding at least in principle. This includes proposals where the presumption applies. This rule will also apply when LAs assume responsibility for deciding statutory proposals in May 2007.

Q16 Can the proposal incorporate the existing learners that are accommodated in overcrowded buildings?

No. The 16–19 Capital Fund has been set up to meet the capital cost of planned growth in 16–19 numbers. Schools with overcrowding in existing buildings should seek funding from the DfES Devolved Formula Capital Fund or Targeted Capital Fund. Colleges with overcrowding should seek funding from the LSC’s FE Capital Fund.

Q17 What guidance should be used for space utilisation on multi-site proposals?

Schools and colleges should follow the space utilisation guidelines in Appendix 1 to Annex D to determine the floor space allowances for their applications. For multi-site proposals, it is not acceptable to include a core space allowance for every single site. The allowable space requirement will depend on the precise nature of the proposal and the numbers involved.

Q18 Will the application be treated differently depending on the type of school that submits it?

Within the guidance there is no discrimination against or in favour of any type of school. The only preference given is to high-performing FE institutions and specialist schools applying under the presumption arrangements. All other applications from publicly-funded schools and colleges will be treated equally on their merits.
Q19 Will a school sixth form proposal that has come forward as a result of the presumption arrangements always be approved?

Applications that are eligible under the presumption will normally be processed for approval. All applications must meet the property and finance parts of the capital criteria and demonstrate value for money in order to be approved. Early conversations between the provider, the LSC and the LA should determine the appropriate size for a proposal, taking into account the pattern of local provision and the need to collaborate with other local providers. You will find more guidance on the sixth form presumption policy in section 3: Sixth Form Presumption Policy.

Q20 What other sources of funding might a proposal be eligible for, if it is not eligible for the 16–19 Capital Fund?

The DfES provides:

- funds for the renewal of school sixth form provision within the Building Schools for the Future programme
- funds for existing school sixth forms under its school modernisation programme and devolved formula capital programmes
- capital funds for the 16–19 element of new 11–19 academies
- targeted capital funds that can be used for school sixth form provision
- limited capital funding for consortia passing through the Diploma Gateway.

The LSC provides:

- capital funds as part of its general FE capital funding for the expansion, renewal and modernisation of existing sixth form colleges and sixth form provision within general FE colleges.

Local authorities may:

- undertake prudent borrowings for the purposes of school sixth form capital development
- use capital receipts and other income, whether capital or revenue, for the purpose of capital expenditure.

Q21 Will the 16–19 Capital Fund cover the 14–16 element of a proposal that addresses 14–19 provision?

The LSC will only provide capital funding for 14–16 provision in FE colleges. Other sources of funding are available from the DfES to cover the cost of 14–16 provision in schools. If there is an application for a 14–19 vocational centre, the LSC can only fund the 16–19 element of that proposal. Please refer to the LSC Capital Handbook (LSC, November 2006) for more information.

Q22 Will the 16–19 Capital Fund cover the cost of creating a new school sixth form in an existing 11–16 school that is being rebuilt under Building Schools for the Future?

Generally, no. If Building Schools for the Future (BSF) is paying for the cost of rebuilding an 11–16 school and at the same time there is an intention to create a new sixth form facility at the school, it is expected that BSF will be the priority funding source. This applies only to those proposals where the timing of the requirement for the new sixth form coincides with the BSF programme.

Where BSF funding is unlikely to be available for some time to meet the cost of creating a new school sixth form, the school can apply to the 16–19 Capital Fund.

Under no circumstances will the 16–19 Capital Fund pay for the cost of rebuilding an existing school sixth form building.

Q23 What stage of design should a proposal have reached before the application is submitted to the LSC?

All capital proposals should at the very least be at Royal Institute of British Architects (RIBA) design stage B or C at the time the application is submitted to the LSC. However, applicants can, if they wish, submit an application at a later stage in the design process. In the case of applications from competition winners where there is already an acceptance that the proposed project will be approved, the proposal should be at RIBA design stage C or D.
Q24 Does an application have to be submitted to the LSC twice before it receives full approval?

No. The LSC will only expect to approve an application once. However, once it has done so, it will need to agree any variations to cost and detail. In the event of significant variation, the LSC will normally request a resubmission of the application. A significant variation is where the cost differs by more than 10 per cent. If the total capital cost is more than £10 million, the LSC may determine an application at two stages: an 'in-principle' stage and a detailed stage.

Q25 Which LSC committee or individual determines an application?

At present the LSC’s National Capital Committee determines all applications except sixth form presumption applications. The LSC regional boards currently determine sixth form presumption applications that have a capital cost of less than £7 million and are for fewer than 350 learners. The LSC intends to review these arrangements after its new Regional Councils are established in autumn 2007. You can obtain further advice on the approval procedure from the LSC regional property advisor.
## Annex C:
### Examples of Eligible Proposals

#### Example 1

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Establishment of a new school sixth form</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of institution</td>
<td>Specialist 11–16 school</td>
</tr>
<tr>
<td>Pre-application process</td>
<td>Presumption</td>
</tr>
<tr>
<td>Reason for proposal</td>
<td>To meet the requirements under the presumption for a new sixth form</td>
</tr>
<tr>
<td>Number of places</td>
<td>200</td>
</tr>
<tr>
<td>Number of new places</td>
<td>200</td>
</tr>
<tr>
<td>Cost</td>
<td>£4 million</td>
</tr>
</tbody>
</table>

**Other details**

**Comment:** This proposal would involve the creation of a new centre as part of the reorganisation of existing provision.

#### Example 2

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Extension to increase 16–19 provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of institution</td>
<td>Sixth form college</td>
</tr>
<tr>
<td>Pre-application process</td>
<td>Review</td>
</tr>
<tr>
<td>Reason for proposal</td>
<td>College expanding, needs more space to accommodate more learners. Expansion previously agreed by LSC.</td>
</tr>
<tr>
<td>Number of places</td>
<td>150</td>
</tr>
<tr>
<td>Number of new places</td>
<td>150</td>
</tr>
<tr>
<td>Cost</td>
<td>£2.5 million</td>
</tr>
</tbody>
</table>

**Other details**

**Comment:**

#### Example 3

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Creation of a new sixth form centre</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of institution</td>
<td>LA-controlled sixth form centre</td>
</tr>
<tr>
<td>Pre-application process</td>
<td>Competition</td>
</tr>
<tr>
<td>Reason for proposal</td>
<td>Decision to close existing school sixth forms and create a new 16–19 centre</td>
</tr>
<tr>
<td>Number of places</td>
<td>500</td>
</tr>
<tr>
<td>Number of new places</td>
<td>300</td>
</tr>
<tr>
<td>Cost</td>
<td>£8 million</td>
</tr>
</tbody>
</table>

**Other details**

**Comment:** This proposal would involve the creation of a new centre as part of the reorganisation of existing provision.
Example 4

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Creation of a vocational centre</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of institution</td>
<td>Consortium proposal</td>
</tr>
<tr>
<td>Pre-application process</td>
<td>Review and competition</td>
</tr>
<tr>
<td>Reason for proposal</td>
<td>To create a new facility for 14–19 vocational use</td>
</tr>
<tr>
<td>Number of places</td>
<td>300</td>
</tr>
<tr>
<td>Number of new places</td>
<td>300</td>
</tr>
<tr>
<td>Cost</td>
<td>£6 million</td>
</tr>
<tr>
<td>Other details</td>
<td></td>
</tr>
<tr>
<td>Comment:</td>
<td>As this proposal is for 14–19 provision, only the 16–19 element of the proposal would be eligible for funding from the 16–19 Capital Fund.</td>
</tr>
</tbody>
</table>
Appendix 1 to Annex C: 16–19 Capital Fund Eligibility

Start

Is the proposal for 16–19 provision?

Yes

Is the proposal for a new building?

Yes

Is the proposal to replace an existing building?

No

Is it to accommodate new learners?

Yes

Is the proposal to accommodate more than 50 new learners?

Yes

Is the proposal the result of a competition?

No

Is the proposal a result of a review process?

Yes

Is the proposal a result of a sixth form presumption?

No

Is the proposal a result of an FE presumption?

Yes

Is the proposal to meet basic need provision?

No

It is likely that the proposal is not eligible but please contact the LSC RPA to discuss.

No

The proposal is not eligible for the 16–19 Capital Fund and other funding should be sought. Funding might be available from the following sources:

- College–LSC FE Capital Fund
- School–DfES BSF, DfES school modernisation fund, DfES targeted capital fund.

RPA: regional property advisor
Appendix 2 to Annex C: 16–19 Capital Fund Application Process

Start

Passed initial eligibility criteria as shown in Appendix 1 to Annex C

School

Obtain agreement of local authority

In the case of VA schools, obtain the agreement of the diocese or voluntary body

College

Initial discussion with LSC RPA

Other

Submission of application to LSC

Determination of application by LSC

Submission to SOC/LA or adjudicator where necessary for schools

Resubmission of application to LSC to confirm the final cost of the project

Meets the criteria to qualify under presumption

LA: local authority
RPA: regional property advisor
SOC: school organisation committee
VA: voluntary aided
For all applicants to the 16–19 Capital Fund

Introduction

1 You can complete the application form online at the LSC’s national website. You will find a copy of the form in Annex E. This annex contains instructions for completing it.

2 An application will consist of:

- an Excel form that requests information on quantifiable elements
- a written submission that answers the questions set out within this document
- additional documents and drawings that are requested in these guidelines.

Please see the detailed checklist below.

3 Further guidance relating to floor space utilisation is given separately in Appendix 1 to this annex. The LSC has not produced detailed design guides for new buildings. Schools applying to the fund should therefore continue to refer to the appropriate DfES building bulletins for design guidance.

4 If you require assistance in completing the application form or have any queries about specific sections of the application, please contact the appropriate LSC regional property advisor. You will find contact details in Appendix 2 to this annex.

Checklist for Capital Project Applications

5 Below is a checklist of the items you will need to include in any application to the 16–19 Capital Fund.

<table>
<thead>
<tr>
<th>Item</th>
<th>Checked?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completed application form (Annex E)</td>
<td></td>
</tr>
<tr>
<td>Written submission responding to the questions listed in these guidelines</td>
<td></td>
</tr>
<tr>
<td>Three completed investment appraisals: one for the preferred option and one for each of two alternative options</td>
<td></td>
</tr>
<tr>
<td>Risk management plan for the project</td>
<td></td>
</tr>
<tr>
<td>Programme of works</td>
<td></td>
</tr>
<tr>
<td>Appropriate architectural drawings</td>
<td></td>
</tr>
<tr>
<td>Copy of the relevant planning notice (if applicable)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Checked?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Copy of the minute of the governors’ meeting at which the project was approved</td>
<td></td>
</tr>
<tr>
<td>Financial plan, including affordability assessment</td>
<td></td>
</tr>
<tr>
<td>Financial plan commentary</td>
<td></td>
</tr>
<tr>
<td>Risk management plan and sensitivity analysis for the project</td>
<td></td>
</tr>
<tr>
<td>Details of proposed borrowing arrangements – for example, a copy of the letter of intent from potential lenders (if applicable)</td>
<td></td>
</tr>
</tbody>
</table>
Part C: To Be Provided by Schools Only

<table>
<thead>
<tr>
<th>Item</th>
<th>Checked?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Confirmation that the application has the support of the LA</td>
<td></td>
</tr>
</tbody>
</table>

6 Please note that you must send one copy of all the forms to each of the following three destinations:

- the appropriate LSC partnership director
- the appropriate LSC regional property advisor
- the appropriate LSC regional provider financial management team.

7 You will find a list of the LSC partnership teams and their contact details in Appendix 3 to this annex.

Summary of Sections within this Annex

Section A: Overview

8 Section A of the questions section asks for:

- a summary of the project and the project development rationale.

Section B: Consistency with strategic planning documents, forward processes and education criteria

9 Section B of the questions section asks about:

- the education rationale for the project proposal
- the extent to which the proposal is consistent with existing plans, strategies and competition outcomes, and addresses the key education issues.

Section C: Funding and financing

10 Section C of the questions section asks about:

- the funding and financing of the project, including the likely level of funding from the LSC and from other possible sources.

Section D: Financial viability, investment appraisal and alternative options

11 Section D of the questions section asks for:

- a summary of the alternative options applicants have considered
- completed investment appraisals of all options
- a risk management plan for the project.

Section E: Space utilisation

12 Section E of the questions section asks for:

- confirmation that the proposed new building or project is the correct size and meets the appropriate use of floor space criteria.

Section F: Project administration and control

13 Section F of the questions section asks about:

- the proposed management of the project and the professional consultants to be used.

Section G: Design, planning requirements and sustainability

14 Section G of the questions section asks about:

- the design of the proposed building, and planning, quality and sustainability issues.

Section H: Building costs and procurement

15 Section H of the questions section asks for:

- an elemental breakdown of the cost of the project and details of the form of contract.

Section J: Declaration

Appendix 1 to Annex D: Space Utilisation: Acceptable Space Allowances

Appendix 2 to Annex D: LSC Regional Property Advisors

Appendix 3 to Annex D: LSC Area Offices, Partnership Teams and Local Authority Areas
Questions to be Addressed in the Written Submission that Accompanies a Completed Application Form

Section A: Overview

A1. Project description

A1.1. Please provide an overview of the project, including a description of it and a brief summary of the education and property reasons for undertaking it.

A2. Eligibility

A2.1. Please explain how the proposal meets the initial eligibility criteria of the 16–19 Capital Fund.

The initial eligibility criteria will include one or more of the following, in any combination:

- a need for additional places (normally at least 50 new places)
- a need to reconfigure 16–19 provision to improve choice and raise standards, participation or attainment to meet local, regional and national targets
- a need for a better balance of provision to improve choice.

Section B: Consistency with Strategic Planning Documents, Forward Processes and Education Criteria

B1. 16–19 competitions

B1.1. Is the application the outcome of a competition process? If yes, please provide a summary of the outcome and the conditions agreed.

If an application is the result of the proposal being a competition winner, you do not need to answer the remaining questions in section B. Please proceed to section C.

B2. Sixth form presumption

B2.1. Is the application the result of an 11–16 specialist school meeting the high-performing specialist school criteria for the establishment of a school sixth form? If yes, please provide confirmation of this.

The eligibility criteria for high performing 11–16 specialist schools to open a new sixth form are published by the DfES and may change from year to year. For further information please refer to section 3: Sixth Form Presumption Policy.

B3. FE presumption

B3.1. Is the application the result of a college meeting the requirements of the FE presumption arrangements? If yes, please provide confirmation of this.

For further information please refer to section 4: FE Presumption Policy.

B3.2. If the proposal is the result of an FE presumption, please provide a supporting statement that describes how the college plans to collaborate with the local partners, in terms of both delivering 14–19 provision and raising standards across the local area.

The supporting statement should include:

- a clear vision for the college
- the college’s successful track record in its chosen specialist curriculum area
- the current or planned level of engagement with employers and HE institutions
- the college’s history of delivering vocational education and training
- how the college consults with the LA, schools and other key stakeholders
- how the college proposes to increase capacity and address staff development needs
- the current and planned partnerships across the local area
- robust proposals for curriculum planning and teaching across partners, and for transport and pastoral care for learners
- challenging targets for improvement and quality assurance arrangements (including those across the partnership) that the college has planned
- how the proposed expansion fits with other providers’ planning across the local area and the range of specialised Diplomas on offer.
B4. Review process

B4.1. To what extent is the project proposal consistent with the most recent review process undertaken by the LSC, or other reviews undertaken in collaboration with the LSC and LA?

The LSC will check to see the extent to which the project proposal meets the requirements of the review, regardless of whether the project is a direct result of the review process.

B4.2. If the application is a direct result of a review process, please make reference to the relevant part of the review.

B5. LSC regional capital strategy

B5.1. Is the project proposal identified within the LSC regional capital strategy?

B5.2. To what extent does the project proposal meet the objectives and priorities of the regional capital strategy?

The LSC regional capital strategies prioritise the main areas of capital development within each region, with regard to geographical location, type of development, policy priorities and curriculum. The LSC will assess the extent to which the project proposal meets these priorities and whether or not it is consistent with the strategy.

B6. LSC capital plan

B6.1. Is the project identified within the LSC capital plan? If yes, please make reference to the relevant part of the capital plan.

The LSC capital plan is an extension of the LSC regional capital strategies.

B7. FE college property strategy (FE colleges only)

B7.1. Has the college or institution produced a property strategy that has been shared with and agreed by the LSC?

B7.2. Is the project outlined within the property strategy?

B7.3. Are existing teaching spaces to be withdrawn from the proposed area?

Further guidance on property strategies can be found in the current Circular 02/20: Guidance on College Property Strategies, LSC, October 2002.

B8. FE college development plan (FE colleges only)

B8.1. Has the college’s development plan been agreed with the LSC?

B8.2. Is the project proposal consistent with the college’s development plan?

The LSC will check that there are clear and reasonable links between the proposal, the needs analysis and objectives in the development plan and the LSC’s priorities at national, regional and area level, taking into account the evidence from development plan analysis.

The LSC will also check that there is consistency between the most recent development planning number forecasts and the learner number or teaching space information provided in the proposal.

B9. School asset management plans (schools only)

B9.1. If relevant, please explain how the proposal fits in with the school’s asset management plan.

B9.2. Please state whether the proposal involves the replacement of any existing school buildings.

The LSC needs to be sure that the proposal is consistent with a school’s asset management plans and does not include the modernisation of existing buildings. The project can form part of a larger project that addresses the school’s modernisation needs. However, the school will not receive 16–19 capital funding towards the cost of the modernisation element.

B10. Building Schools for the Future programme (schools only)

B10.1. Please explain how the proposal complements the Building Schools for the Future (BSF) programme within the LA area.
The LSC will not normally accept applications for developments to house new school sixth forms, or extensions to existing school sixth forms, if the school as a whole is due to be rebuilt in the near future as part of the BSF programme. All applications must show how the proposed development will complement any likely future BSF proposal. It is expected that the BSF programme will provide appropriate capital funding for all the sixth form elements of schools that are being rebuilt or modernised as part of the BSF programme.

B11. Reviews and inspections

B11.1. If the proposal is a result of an LSC review or other inspection, please make reference to the relevant inspection report and outline how the proposal meets the requirements of that inspection.

B12. Key strategic education issues

B12.1. To what extent will the proposal ensure effective collaboration with existing providers and complement existing provision as part of a locally coherent system?

B12.2. How does the proposal ensure a broad range of sustainable provision?

B12.3. To what extent will the proposal meet the basic requirements for additional 16–19 learner places?

B12.4. To what extent will the proposal increase levels of participation among 16- and 17 year olds in full-time education and/or increase attainment at Level 3 by age 19?

B12.5. How will the proposal enhance institutional and curricular diversity and choice?

B12.6. How will the proposal raise standards?

Where the proposal is to respond to needs not previously identified by the LSC or in any of the strategy and planning documents listed above, the LSC will check:

- the validity of the rationale for the proposal
- whether other providers are aware of the proposals
- whether collaborative ventures have been considered.

For FE colleges, the LSC will check the credibility of the learner number forecasts in the proposal in the light of the college’s previous performance in achieving the pattern of learner numbers predicted in the development plan and funding agreements.

For schools and other establishments, the LSC will check the credibility of the learner number forecasts in the proposal in the light of the school’s previous performance and discussions with the LA.

B13. Curriculum areas

B13.1. Please list the curriculum areas that will be delivered in the proposed new building.

B14. Equal opportunities

B14.1. Please set out in your project proposal confirmation that the proposal will comply with equal opportunities legislation.

Section C: Funding and Financing of the Project

C1. Funding

C1.1. Please complete the funding and financing table on page 2 (pages 45–46 of this document) of the application form.

You should include all financial documentation relevant to the proposed funding and financing of the proposal.

C1.2. Please confirm that all other possible funding routes have been considered.

C1.3. Please give details of any other proposed funding for the project.

The following will apply where the level of funding being requested is less than 100 per cent of the total project cost.

C1.4. Please give details of all proposed loans for the project: type of loan, repayment period, interest rate(s), annual cost and status (secured or unsecured).

C1.5. Please give details of any proposed security and conditions required by the lender. Please attach any letter of intent from the proposed lender(s).

C1.6. Please give details of any proposed private finance initiative or other public–private partnership procurement, management or financing arrangements. You should include the length and terms of any lease, details of any rental payments, and the other main terms of any proposed arrangements. Please attach a letter of intent from any potential lenders or private investors.
C1.7. Please confirm the maximum sums that the governing body has given its approval for the LA, school or college to commit to the project from reserves, capital disposals and/or borrowing. (Attach a minute if applicable.)

C1.8. If some or all of the proposed financing is not available, would you withdraw the application or propose alternative financing strategies? If the latter, please state any alternative financing strategies in the project proposal.

C2. Affordability assessment (FE colleges only)

C2.1. Please complete the capital project and affordability schedules in the 10-year financial plan model, which you will find on the LSC website.

The level of capital grant support is determined by the affordability analysis that is undertaken for each capital project application. It is essential for a college to carry out this analysis before submitting an application. Colleges should consult the appropriate LSC regional provider financial management (PFM) team if they require assistance in completing this section.

Detailed guidance on financial affordability is set out in Annex B of the LSC Capital Handbook (LSC, November 2006).

Section D: Alternative Options, Investment Appraisals and Project Viability

D1. Alternative options

D1.1. Please briefly list and describe the alternative options that were considered before the preferred option was selected. There must be at least one alternative option, and a base case option. Please summarise the relevant costs and benefits of each option, including ‘free’ land, and state why the proposed scale of the preferred option is the most appropriate.

D2. Investment appraisals

D2.1. Please complete an investment appraisal for the preferred and alternative options.

FE colleges should use the college investment appraisal model that is used for applications to the FE Capital Fund. Schools and LAs should use the schools investment appraisal for use by schools. Both investment appraisals are available on the LSC website: (http://propertieservices.lsc.gov.uk/16-19capital/).

Please follow the guidance that accompanies the investment appraisal forms.

The LSC will consider whether:

- the project secures a satisfactory net present value
- the planned profile of expenditure has been realistically assessed
- the income assumptions are reasonable
- the expenditure and running costs of the proposed new building are reasonable.

D3. Financial plans (FE colleges only)

D3.1. Please attach the college’s latest financial plan, revised to take account of the financial impact of the project and the LSC’s proposed method of funding. You should include a commentary detailing any revisions to assumptions since the previous plan.

The college’s financial plan will be assessed to determine:

- how the scheme will change the college’s financial position
- the level of LSC capital grant support

and to:

- ensure consistency with the assumptions made in the investment appraisal for the preferred option.

The LSC Capital Handbook (LSC, November 2006) contains guidance on other finance-related aspects of the application such as borrowing.

D4. Risk management plan

D4.1. Please attach a risk management plan for the project.

The risk management plan will be assessed to determine the extent to which the provider has identified and addressed – for example, by contingency planning – the main risks to successful implementation of the project.

Guidance on risk management is available on the HM Treasury website (www.hm-treasury.gov.uk).
Section E: Space Utilisation

E1. Space utilisation analysis

E1.1. Please complete the space utilisation analysis table in the application form (sheet 3a or 3b of Annex E at pages 47 and 48 of this document).

The purpose of this section is to make sure that the size of the proposed new building is appropriate for the number of learners and that the proposal meets the LSC space allowances. As the fund’s primary aim is to support the accommodation needs of additional learners, the LSC will not fund capital proposals for additional space where there is surplus space that is not being fully utilised within an existing building.

To check whether the proposal meets appropriate floor space utilisation criteria, please refer to Tables D1 to D3 in Appendix 1 to this annex. These tables set out the range of acceptable space allowances for the different types of institutions that may submit an application. Appendix 1 also explains briefly the methodology used to calculate the space allowances. For further guidance, FE colleges should refer to the LSC’s guidance on floor space management in Circular 02/20 (LSC, October 2002). Schools should refer to DfES Building Bulletin 98 (DfES, undated).

Section F: Project Administration and Control

F1. Proposed consultants

F1.1. Please complete the table in the application form (page 51 of this document) listing the consultants to be used in the project.

The application should confirm the arrangements for managing or administering the project.

F2. Oversight of the project

F2.1. The project application should confirm arrangements for:

- governing body and/or LA oversight
- dedicated project administration
- availability of adequate professional expertise, including legal advice as appropriate
- appropriate financial control
- appropriate supervision of works, including compliance with the Construction (Design and Management) Regulations 1994 and the Control of Asbestos at Work Regulations 2002 and other relevant legal requirements
- ensuring continuity of provision for learners.

Efficient project administration and control arrangements are essential if proposals are to avoid cost over-runs and operational difficulties caused by the late completion of projects. It is vital to adopt a clear project administration and management structure at the outset.

Section G: Design, Planning Requirements and Sustainability

G1. Planning consent

G1.1. Please summarise the current planning consent position. If planning permission is required and you have not yet obtained it, please state when you are expecting to do so. If appropriate, please attach a copy of the planning consent or letter from the planning authority.

G1.2. Please state whether you have entered into a section 106 agreement as a condition of planning consent.

This section is intended to ensure that the applicant has properly researched the potential planning requirements for any project, and has obtained appropriate planning consent or can reasonably assume that such consent will be forthcoming. The LSC will not normally consider a project that has not yet gained at least outline planning consent.

Local planning authorities may impose obligations that must be fulfilled as a condition of the consent. The applicant must identify and anticipate such conditions and, if appropriate, set out the costs in the proposal.

G2. Design

G2.1. Please provide copies of the plans of the proposed building work and copies of architects’ drawings.

A proposal should be at least at RIBA design stage B or C when the application is submitted. The only exceptions are applications that are the result of being a competition winner. In this case, a proposal is expected to be at RIBA design stage C or D. You can obtain further advice on the amount of detail you should provide from the LSC regional property advisor.
The LSC will not specify design guidelines for proposals that come forward to the 16–19 Capital Fund for approval. It is expected that applications from Schools will follow the guidance issued in the DfES Building Bulletin 98 (DfES, undated) and other relevant DfES building bulletins.

G 2.2. Where the project involves new build, please confirm the type of construction planned.

Please note that temporary buildings will not be eligible for grant support.

G2.3. For new-build projects, please confirm the net internal:gross internal floor area ratio (m²).

G3. Sustainability

G3.1. Please describe how the project takes account of the impact of new technologies on the delivery of the curriculum.

G3.2. Please provide a sustainability statement showing how the project takes account of government and LSC policy on sustainable development.

A sustainability statement should list the elements of the proposed building that address the sustainability agenda. Please note, the LSC expects that, wherever practicable, the projects in which it invests should achieve an 'Excellent' or 'Very good' BRE Environmental Assessment Method rating (see Annex K). Applicants for 16–19 capital grant support can ask for an additional cost allowance of up to 10 per cent of the net building cost for elements within the building that address sustainability issues. To qualify for this additional allowance, an applicant must show how the design addresses sustainability issues outside the remit of building regulations.

Section H: Building Costs and Procurement

H1. Costs

H1.1. Please complete the elemental breakdown form within the application form (page 49 of this document). This is the cost estimate for each of the elements of the works. If the proposal covers more than one building, you need to complete a separate form for each building.

The LSC will assess applications to ensure that they have sought to maximise value for money by putting projects out to competitive tender, and by taking appropriate advice on the form of contract and on these issues in general. Applicants should seek further advice from the appropriate LSC regional property advisor. Projects will be assessed to make sure that the overall estimate of project cost (including fees) and the elemental cost breakdown are:

- commensurate with schemes of a similar nature elsewhere
- likely to offer value for money, both in the initial procurement and in the subsequent management and operation of the resulting asset.

The elemental breakdown form also includes a section where you can show the costs of elements of the proposed development that address sustainability issues over and above the requirements of building regulations. Applicants need to complete this section in order to be eligible to receive an additional sustainability cost allowance of up to 10 per cent of the net build cost.

H2. Procurement arrangements

H2.1. Please state the proposed or actual form of project procurement or building contract (for example, management contracting, design and build, partnering).

H2.2. Please explain the reasons for this choice.

H2.3. Please confirm the source of the professional advice that led to the choice.

You should include these details in your answers to questions under F 1.

In assessing applications, the LSC will check that the proposed or actual method of procurement and form of contract documentation are appropriate to the building project and procurement programme proposed. It will also check that the college has taken appropriate professional advice in establishing the method of procurement and the form of contract documentation.

H3. Contracts

H3.1. Please provide a copy of the programme of works for the building contract.
FE colleges should remember that they need to comply with the procurement directive issued by the European Commission. This requires them to advertise qualifying building projects and consultancy appointments in the Official Journal of the European Union (OJEU) before inviting tenders, awarding contracts or appointing consultants. As at January 2006, the tender thresholds above which advertisement in the OJEU is mandatory were approximately £3.61 million for works and approximately £144,000 for consultancy appointments.

We recommend that all applicants take appropriate legal advice as to the application of these directives to any private finance initiative or public–private partnership arrangements they might wish to pursue, and to check the tender thresholds as these may vary from time to time.

**H3.2.** Please complete the table in the application form relating to building contracts (page 50 of this document).

The contract programme should give information on the pre- and post-contract periods, including the expected start on-site and completion dates.

**H4. Equipment**

**H4.1.** Please list in your proposal the main items of equipment to be purchased as part of the project.

**Section J: Declaration**

The application form must be signed and dated by the head of the lead organisation or institution making the application.
Appendix 1 to Annex D: Space Utilisation: Acceptable Space Allowances

1 Tables D1 to D3 summarise the acceptable floor space allowances for new buildings.
   - Table D1 shows the allowances for new institutions and the overall allowance for institutions (excluding schools).
   - Table D2 shows the allowances for the marginal additional space for extensions to existing institutions (excluding schools).
   - Table D3 shows the allowances for schools.

Methodology

2 In Tables D1 and D2, the measurement of space utilisation is expressed as the gross internal floor area in square metres ($m^2$) per minimum number of workplaces (MNW).

3 This is calculated as follows.
   \[ \text{Area per MNW} = \frac{\text{Gross internal floor area}}{\text{MNW}} \]
   \[ \text{MNW} = \frac{\text{On-site daytime guided learning hours}}{1,440} \]
   or:
   \[ \text{MNW} = \frac{\text{Full-time equivalent (FTE) learners}}{2} \]

4 You will find further guidance on this methodology in Circular 02/20 (LSC, October 2002).

5 For Table D3, the measurement of space is based on an area allowance per learner or pupil. This is based on the allowance for an FTE learner.

Table D1: For a new institution, or for assessing the total floor space allowance of a general FE college or LA sixth form centre.

<table>
<thead>
<tr>
<th>Type of institution</th>
<th>Floor space allowance ($m^2$)</th>
</tr>
</thead>
<tbody>
<tr>
<td>General FE college</td>
<td>$1,650 + (11.5\text{ to } 14.5 \text{ per MNW})$</td>
</tr>
<tr>
<td>Sixth form college</td>
<td>$1,500 + (10\text{ to } 13 \text{ per MNW})$</td>
</tr>
<tr>
<td>LA sixth form centre with fewer than 400 FTEs</td>
<td>$450 + (10\text{ to } 13 \text{ per MNW})$</td>
</tr>
<tr>
<td>LA sixth form centre with more than 400 FTEs</td>
<td>$1,000 + (10\text{ to } 13 \text{ per MNW})$</td>
</tr>
</tbody>
</table>

Table D2: For an extension to an existing general FE college or LA sixth form centre. The space allowance is for the marginal additional floor space.

<table>
<thead>
<tr>
<th>Type of institution</th>
<th>Floor space allowance ($m^2$)</th>
</tr>
</thead>
<tbody>
<tr>
<td>General FE college</td>
<td>10 to 11 per MNW</td>
</tr>
<tr>
<td>Sixth form college</td>
<td>10 to 11 per MNW</td>
</tr>
<tr>
<td>LA sixth form centre</td>
<td>10 to 12 per MNW</td>
</tr>
</tbody>
</table>

Table D3: Marginal additional floor space allowances for existing schools of any type.

<table>
<thead>
<tr>
<th>Type of institution</th>
<th>Floor space allowance ($m^2$)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establishment of a school sixth form</td>
<td>$450 + (8 \text{ per learner})$</td>
</tr>
<tr>
<td>Extension to an existing school sixth form</td>
<td>$8 \text{ per learner}$</td>
</tr>
</tbody>
</table>
Applications from schools should also show the total floor area of the 11–16 part of the school. The LSC will take into account the school’s overall floor space, and may not approve applications from 11–16 or 11–19 schools where there is excessive surplus floor space within the school as a whole. For further guidance on the floor space allowances for schools, please refer to DfES Building Bulletin 98 (DfES, undated).
Appendix 2 to Annex D: LSC Regional Property Advisors

<table>
<thead>
<tr>
<th>Name</th>
<th>Region</th>
<th>Location</th>
<th>Telephone</th>
<th>Mobile</th>
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<tbody>
<tr>
<td>Dianne Brown</td>
<td>East Midlands</td>
<td>Leicester</td>
<td>02476 446034</td>
<td>07796 594644</td>
</tr>
<tr>
<td>Debbie Callaghan</td>
<td>West Midlands</td>
<td>Coventry</td>
<td>020 7904 0668</td>
<td>07747 565319</td>
</tr>
<tr>
<td>Catherine Davies</td>
<td>Greater London</td>
<td>London</td>
<td>020 7904 0668</td>
<td>07747 565319</td>
</tr>
<tr>
<td>David Johnson</td>
<td>North West</td>
<td>Middlesbrough</td>
<td>01642 743093</td>
<td>07786 110721</td>
</tr>
<tr>
<td>Mark Harvey</td>
<td>South West</td>
<td>Plymouth</td>
<td>01752 754110</td>
<td>07768 006656</td>
</tr>
<tr>
<td>David Johnson</td>
<td>North East</td>
<td>Middlesbrough</td>
<td>01642 743093</td>
<td>07786 110721</td>
</tr>
<tr>
<td>Keith Felgate</td>
<td>Eastern</td>
<td>St Albans</td>
<td>01727 733658</td>
<td>07789 110748</td>
</tr>
<tr>
<td>Mike Green</td>
<td>Yorkshire and the Humber</td>
<td>Bradford</td>
<td>01274 444174</td>
<td>07789 111030</td>
</tr>
<tr>
<td>Isabelle Wragg</td>
<td>South East</td>
<td>Brighton</td>
<td>01273 783589</td>
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### Appendix 3 to Annex D: LSC Area Offices, Partnership Teams and Local Authority Areas

<table>
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<th>Local authority</th>
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<td>Bedfordshire, Luton</td>
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<td>Cambridge, South Cambridgeshire, Fenland and East Cambridgeshire, Peterborough</td>
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<td>Region</td>
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<td>Partnership team</td>
<td>Local authority</td>
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Annex E:

16–19 Capital Fund Application Form


Please complete this form, print out three copies and send one copy to each of the appropriate LSC partnership director, LSC regional provider financial management team and LSC regional property advisor.


Please ensure you fill out all of the sheets within this Excel file.

**Applicant’s details**

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<th>Name of lead organisation</th>
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<tr>
<th>Email</th>
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**Project Capital Cost/Funding/Financing**

Please state the applicant’s preferred financing and funding proposals as summarised in the tables below.

### Project costs and LSC contribution

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<table>
<thead>
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<tr>
<td>a. Total project cost</td>
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<td>b. Other LSC funding</td>
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<tr>
<td>c. Eligible project costs (a – b)</td>
<td>£</td>
<td>–</td>
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<tr>
<td>d. Requested LSC contribution (%)*</td>
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<td>e. LSC contribution (c x d)</td>
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*The LSC contribution will be determined by affordability considerations.*

### Project funding

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<th>3 £</th>
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<td>f. Requested LSC contribution</td>
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<tr>
<td>g. Other LSC funding</td>
<td>–</td>
<td>–</td>
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<tr>
<td>h. Applicant’s contribution</td>
<td>–</td>
<td>–</td>
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<tr>
<td>k. Other public sector grants</td>
<td>–</td>
<td>–</td>
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<tr>
<td>l. Other (private finance)</td>
<td>–</td>
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<tr>
<td>m. Other (please specify)</td>
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<td>Total funding</td>
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## Project financing

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<th>3</th>
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<td>£</td>
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<td>o. Loan finance (unsecured)</td>
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<td>p. Loan finance (secured)</td>
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<td>q. Disposal proceeds</td>
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<td>r. Applicant’s reserves (cash)</td>
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<td>–</td>
<td>–</td>
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<td>s. Private equity</td>
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<td>u. Other (please specify)</td>
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<tr>
<td><strong>Total financing</strong></td>
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Space Utilisation (A)  (For College Use Only)

Analysis of college floor space requirements

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<th>Sixth form college</th>
<th>Other</th>
<th>Latest audited data</th>
<th>Current year</th>
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<th>2</th>
<th>3</th>
<th>4</th>
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<td>a. Total gross internal area before project as agreed with the LSC (m²)</td>
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<tr>
<td>b. Reduction in gross internal area arising from project (m²)</td>
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<td>c. New area created by project (m²)</td>
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<td>d. Net change in area (m²) (c – b)</td>
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<td>e. Total gross internal area (m²) after project (a + d)</td>
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<tr>
<td>f. Gross internal area minus 1,500m² if SFC or Gross internal area minus 1,650m² if other type</td>
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<td>g. Area to be refurbished in project (m²)</td>
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<td>h. Total annual on-site daytime guided learning hours</td>
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</table>
| i. Minimum number of workplaces (MNW) (h/1440) | | | | | | | | 0
| j. Total gross internal area per MNW (m²) (f/j) | | | | | | | | |

- for College Use Only
### Space Utilisation (B)  
(For School Use Only)

**Analysis of school floor space requirements**

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<th>Effect of project on school's gross internal floor area</th>
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<td>b. Reduction in gross internal area arising from project (m²)</td>
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<tr>
<td>c. New area created by project (m²)</td>
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<td>d. Net change in area (m²) (c – b)</td>
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<td>e. Total gross internal area of sixth form (m²) after project (a + d)</td>
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<td>f. Area to be refurbished in project (m²)</td>
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<td>g. Number of existing 16–19 full-time learners</td>
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<tr>
<td>h. Number of new 16–19 full-time learners</td>
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<tr>
<td>j. Total number of 16–19 full-time learners (g + h)</td>
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<tr>
<td>k. Area (m²) per learner for new learners only (e ÷ h)</td>
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<tr>
<td>l. Area (m²) per learner for all learners (excluding 450m) (e – 450 ÷ j)</td>
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<tr>
<th><strong>Whole school</strong></th>
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<td>m. Current total gross internal area of the school (m²)</td>
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<td>n. Total gross internal area of the school (m²) after project (j + d)</td>
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<td>o. Total number of full-time learners</td>
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<tr>
<td>p. Area (m²) per learner for all learners (excluding 2,250m) (n – 2250 ÷ o)</td>
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## Building Elemental Cost Breakdown for Project

**Applicant’s name**:  
**Local LSC**:  
**Gross internal area, new build (m²)**:  
**Gross internal area, refurbishment (m²)**:  

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<th>Element</th>
<th>Cost of new build £</th>
<th>% Cost</th>
<th>Cost of refurbishment £</th>
<th>% Cost</th>
<th>Cost of relation to design for sustainability £</th>
<th>% Cost</th>
<th>Cost/m² gross floor area</th>
<th>New build £ per m²</th>
<th>Refurbishment £ per m²</th>
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<td>2C Roof</td>
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**Total net construction cost (new build + refurbishment cost)**: 

**Total gross construction costs (new build + refurbishment cost)**: 

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**Key for % boxes:**  
- Substructure: = % of 1 to 5  
- Superstructure subtotal: = % of 1 to 5  
- Internal finishes subtotal: = % of 1 to 5  
- Fittings and furnishing: = % of 1 to 5  
- Services subtotal: = % of 1 to 5  
- Building subtotal (1 to 5): = % of 1 to 11

---

For definition of elements and sub-elements, please refer to the BCIS Standard Form of Cost Analysis – principles, instructions and definitions.
### Project Programme – Pre-contract and Construction

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<th>Year 3</th>
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## Project Consultants

Please list in the table below the external consultants the applicant intends to use to manage and administer certain aspects of the project, providing details of their terms of appointment and professional fees.

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<thead>
<tr>
<th>Task/Title</th>
<th>Consultant</th>
<th>Terms of appointment</th>
<th>Fee amount (please state percentage of contract or lump sum or retainer as appropriate)</th>
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<td>Electrical engineer</td>
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<td>Mechanical engineer</td>
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<td>Other services</td>
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</table>
**Declaration**

I certify that the information provided in this application and the project proposal is complete and correct.

Signature *(head of lead organisation)*

Name *(please print)*

Date

Telephone no.

Email
Annex F: 

Guidance Note on 16–19 Capital Fund Post-approval Arrangements, Payment of Grant Process and Post-project Review Procedure

Introduction

1 This annex confirms the post-approval arrangements for 16–19 Capital Fund applications, the process for payment of grant, and the requirements for post-project review 12 months after completion of the project.

Post-approval Arrangements

2 Once an application has been approved, the applicant is expected to continue to develop the detailed project design to RIBA design stage D+ and, when it is in receipt of tender costs with at least 95 per cent cost certainty, to confirm to the LSC the expected final project cost. At this point the applicant should seek the LSC’s approval before proceeding any further with the project. If the costs vary significantly from the original capital estimate, the LSC will ask the applicant to resubmit the capital application with a full justification for any proposed changes. Any change in costs of 10 per cent or more will always be regarded as significant.

3 Before awarding the construction contracts and finalising the contractual arrangements, the applicant will supply the LSC with a detailed construction programme and expenditure profile. At monthly intervals throughout the period of the development and construction programme, from a date to be agreed with the LSC’s regional property advisor, the applicant will give the regional property advisor a progress report confirming:

- the construction works, site works and ancillary activities completed to date
- the amount of funds that the applicant has expended to date in the execution of the project.

Payment of Grant Arrangements

4 There are two methods for the payment of grant, depending on the type of provider:

- FE colleges and other providers (excluding LAs and schools)
- LAs and schools.

FE colleges and other providers (excluding local authorities and schools)

5 FE colleges and other providers should follow the guidance for claiming FE capital grant as set out in Guidance Note B of the LSC Capital Handbook (LSC, November 2006). To actually claim the grant, colleges should complete and return the claim form (Form B) in the LSC Capital Handbook (LSC, November 2006).
Local authorities and schools

6 For schools and local authorities submitting capital applications, the LSC will advance up to 10 per cent of the agreed grant payments as a ‘fee support element’ before the contract stage described in paragraph 2 of this annex. This is to help defray design and other ancillary costs incurred up to the tender stage. In order to receive the fee support element, the school or LA should submit a profile of expected expenditure on project fees and other ancillary costs to the LSC’s regional property advisor. Once the regional property advisor confirms the expenditure profile, the LSC will make payments in monthly instalments based on the agreed profile. The LSC reserves the right to request repayment of the fee support element if the project fails to proceed and suitable alternative proposals are not brought forward within 12 months of the date of the approval.

7 The remainder of the LSC’s capital project grant support will only be payable once the tendered project costs and grant have been confirmed. The grant will then normally be payable in equal monthly instalments across the construction period, starting one calendar month after construction works have begun on site, or in accordance with any other payment profiles and dates agreed with the LSC, subject to confirmation of the prior exchange of appropriate building contracts.

8 LAs and schools will be asked to submit a quarterly reconciliation form indicating the actual amount of expenditure. If the project does not proceed at the previously agreed rate of expenditure, the LSC may alter the timing of the payment of grant. You can find the reconciliation form on the LSC website (at http://propertyservices.lsc.gov.uk/16-19capital/).

Post-project Review Arrangements

9 All capital grant recipients are required to undertake a post-project review. They must complete this between 12 and 18 months after the date of practical completion of the project. They must undertake the review in accordance with the LSC’s requirements. The post-project review form, and guidance on how to complete it, are in the LSC Capital Handbook (LSC, November 2006).

10 The LSC will not consider further capital applications from any college, school or other eligible provider that has not submitted a post-project review for previous projects, in the appropriate format and within the required timescale.
Annex G:

Matters to be Specified in a Notice Inviting Proposals

1 The notice should include:

a a statement detailing:
   • the name of the local (or regional, where appropriate) LSC
   • the geographical area which is covered by the competition

b a statement explaining the specification of the provision being invited, including:
   • number of places
   • type of provision

c information on:
   • the date that all proposals should be received by at the LSC offices
   • where all proposals should be sent, including a named contact and an email and postal address

d a brief explanation of the procedure that will be followed after the date when proposals must be received by the LSC

e information on where the full guidance can be obtained, including a website address

f a statement highlighting the relative priorities of judgement criteria set out in the guidance

g any other information relevant to the LSC.
Annex H: Matters to be Specified in a Notice Inviting Comments on the Applications

1 The notice should include:

- where details of all applications can be found (including website address)
- the date when all comments on the applications should be received at the LSC
- details of where comments can be sent (including email address)
- information on the procedure followed once consultation has closed (including dates).
Annex J:
Core Information Required for 16–19 Competition Proposals

1 Proposals coming forward should include the following information.

a. **How will the proposal ensure effective collaboration with existing providers and complement existing provision as part of a locally coherent system?**

To what extent will the proposal complement and enhance existing 16–19 provision in a locally coherent structure? In other words, how does any new institution propose to work collaboratively with existing post-16 providers in a locally coherent system?

To what extent is the proposal consistent with the overall strategy for the local area?

What are the details of any proposed collaborative arrangements, including management arrangements?

Who is the lead partner in any partnership proposal? This will usually be the partner through which funding will be directed.

b. **Will there be an adverse impact on existing successful local 16–19 provision?**

(Note: Local stakeholder panels and the LSC will assess to what extent proposals might have an adverse impact on existing successful 16–19 provision, and which providers might be adversely affected.)

c. **How will the proposal ensure a broad range of sustainable provision?**

How will the proposal will meet the specified need for substantial and sustainable new 16–19 provision? In other words, to what extent will the proposal ensure a wide range of general and/or specialised and/or work-based learning opportunities to meet the specified need at suitable levels and location(s) that will be viable and sustainable into the longer term?

To what extent will the proposal contribute to meeting the needs of employers?

What are the estimated capital costs?

Please supply, if applicable:

- an outline summary of the capital project, including estimated floor area
- a summary of the likely funding and financing of the capital costs
- details of the proposed site
- the opening date for any new institution or start date for any new provision.

d. **How will the proposal meet the basic need for additional 16–19 learners?**

To what extent will the proposal meet the basic need for additional 16–19 learners?

Provision is recommended at not less than the average size of sixth forms inspected by Ofsted – 173 students – and preferably over 200 students. The latter is the number at which Ofsted reports that a sixth form would, generally, be able to offer a range of 20 or more A-levels, with three or four GCSEs/A-levels in applied subjects or equivalent. Competitions for new 16–19 provision will be held where a need is identified for 200 or more new 16–19 places over a two-year period to meet basic need. Proposals for new 16–19 provision of fewer than 200 students will be invited at the discretion of the LSC.
Please supply learner information, including the number of learners and age range.

e. **How will the proposal increase levels of participation and/or increase attainment at Levels 2 and 3 to local, regional or national targets?**

To what extent is the proposal consistent with, and likely to meet, the specified local, regional or national targets for increased participation and attainment?

To what extent is the proposed provision of education and training responsive to the needs of young people, and to what extent does it facilitate progression to further and higher education, training and employment?

To what extent does the provision further social inclusion?

How will the proposal increase participation in local target groups?

How will the quality of provision be assured?

f. **How will the proposal enhance institutional and curriculum choice?**

To what extent will the proposal respond to the needs of learners and employers, ensuring a wide, viable and sustainable range of 16–19 learning opportunities at suitable levels and in suitable settings and locations that meet either the need of all 16–19 learners or identified target groups of 16–19 learners?

To what extent will the proposal provide equality of opportunity for all groups of learners and contribute to the achievement of local targets for participation, retention, attainment and progression of learners at all levels?

Please describe the geographical area to be covered or the target group of young people.

Please describe the extent to which the proposal provides greater curriculum breadth.

g. **How far will the proposals contribute to delivering the Diploma lines?**

How will the proposal support the requirement to deliver access to all 14 Diploma lines for 14–16 year olds as well as 16–19 year olds?
Annex K:

References

Publications


LSC (October 2006) Learning for Living and Work: Improving education and training opportunities for people with learning difficulties and/or disabilities, the LSC’s strategy for its planning and funding of provision for learners with learning difficulties and/or disabilities, Coventry: LSC (at: http://readingroom.lsc.gov.uk/lsc/National/Learning_for_Living_and_Work_Complete_2.pdf).


Websites


BRE’s Environmental Assessment Method (at: www.breeam.org/schools.html).

DFES criteria for high-performing specialist schools (at: www.standards.dfes.gov.uk/specialistschools/).
