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MINUTES OF A SPECIAL MEETING OF THE CHILDREN & LEARNING OVERVIEW & SCRUTINY COMMITTEE

Town Hall

11 October 2012 (7.30 - 10.00 pm)

Present: Councillors Sandra Binion (Chairman), Nic Dodin, Peter Gardner, Pat Murray, Melvin Wallace, Keith Wells, Wendy Brice-Thompson (In place of Frederick Thompson), Garry Pain (In place of Robby Misir) and Ron Ower (In place of Gillian Ford)

Co-opted Members: Phillip Grundy, Julie Lamb, Anne Ling and Garry Dennis

Two members of the public were present.

The Chairman advised those present of action to be taken in the event of an emergency evacuation of the building becoming necessary

Apologies for absence were received from , co-opted member Margaret Cameron, Jack How and Keith Passingham and Bev Whitehead

11 **PRIMARY SCHOOL EXPANSIONS 2012-13 - CALL-IN OF CABINET DECISION**

In accordance with Paragraph 17 of the Overview and Scrutiny Committee Rules, two members, representing more than one group had signed a requisition calling-in in a decision of Cabinet. On this occasion, councillors Keith Darvill and Gillian Ford had called-in the Cabinet decision of 26 September 2012 relating to primary school expansion in 2012-13.

The decision of Cabinet concerned a report on the proposals for primary school expansions in the borough for 2012-13, owing to a projected shortage of primary school places for September 2013. Based on the report (which was circulated to members of the Committee) made the following decisions:

1. that the 15 schools listed in Appendix 1 (of the Cabinet Report) for proposed permanent expansion from September 2013 to meet the projected deficit of primary places be expanded;
2. that the statutory processes be initiated to permanently expand the capacity of eight of those 15 schools by September 2013: Harold Court Primary; Harold Wood Primary; Pyrgo Priory Primary; St Patrick's Primary; Rise Park Infant and Junior schools; and Towers Infant and Junior schools;

3. that the proposal to expand Branfil Primary School from 1 September 2013 be commenced, following the Representation Period which ended on 31 August 2012;
4. that officers take all necessary steps in order to deliver the expansion programme, including the submission of planning applications;
5. that the commencement of a tendering process for construction/ refurbishment works at issue of tenders for Harold Court Primary, Harold Wood Primary, Mead Primary, Parsonage Farm Primary, Rise Park Infant and Junior schools, Towers Infant and Junior schools, together with all associated investigations e.g. soil survey, and;
- 6 that the final allocation of available Capital funding as detailed within the Cabinet report was to be delegated to the Lead Members for Children and Learning and Value, and the Group Directors of Children's Services and Finance and Commerce.

These decisions were considered necessary to provide sufficient additional primary places to meet the forecast rise in primary pupil numbers projected from September 2013 and beyond. The reasons for proposing specific schools for expansion were given in Appendix 1 of the Cabinet report.

Other options considered

The option of adapting existing accommodation for 'bulge' (temporary) classes to respond to the projected deficit of primary places was considered because this would be more affordable and avoid the risk of providing permanent accommodation that might then become surplus in the foreseeable future.

This option was rejected because of the high level of confidence in the latest pupil forecasts for 2012 that project the birth rate will be sustained at the current high level for the medium term and the corroboration of these projections by the latest ONS forecasts. Given the long term confidence in forecasts the permanent expansion proposals were considered to provide best value for money and the preferred option of schools for responding to expansions.

In some planning areas there was more than one option for deciding on a school to expand for September 2013 and a clear rationale was given for each school being proposed and was specified in Appendix 1. As projections of rising pupil numbers was forecast to continue, all schools that were not proposed for expansion in 2013 would be fully considered for any future programme.

The decision to proceed with planning applications and tendering arrangements in parallel with the statutory consultation process was a necessity in order to avoid delays in delivering the required capacity. In the

event of the statutory consultation being unsuccessful, the planning permission and contract award will not be implemented.

Reasons for the requisition:

The reasons for the requisition were detailed on the formal notification and were detailed as follows:

1. to review the selection of 15 schools and Branfil School set out in the Report to Cabinet for permanent expansion;
2. to consider the capital and revenue financial risks predicted for the cost of expansion of the schools;
3. to review the timetable to deliver the proposed expansions.

Officers began by providing the Committee with an explanation of the rationale and procedure underlying the Cabinet report. Fifteen schools were scheduled for expansion, with Branfil being the first to undergo expansion after the statutory consultation process, which had now ended. The money allocated for the expansion had been delegated to the Cabinet Member for Children & Learning.

There was a considerable time pressure around primary school expansion, given the shortfall in primary places. As such, detailed contingency plans were being developed against failure to expand the schools on time. The criteria against which the schools had been judged suitable for expansion was rigorous and took into account the projected deficit in school places for 2013. Principally, one of the criteria for selecting schools to be expanded focussed on oversubscribed, popular schools. Ofsted ratings were also considered.

Numerous feasibility studies had been undertaken and work would be commencing around expansion in March 2013, with a planning application for the Mead School expansion being sought in November 2012.

The Committee moved on to consider the reasons given for the requisition. Officers were asked to comment on the first reason indicated above. Officers explained to the Committee that they had looked at the total number of schools for expansion and had had extensive discussions to narrow down the list from a much larger number initially indicated. It was stated that the Cabinet report listed in detail the planning areas that had been assessed, as well as the consultation that had been undergone with head teachers and governors of all the schools proposed for expansion. Officers worked in line with the Commissioning School Places Strategy and reiterated the fact that there had been no forced expansions.

In response to questions, officers explained that schools did not have to meet all four of the expansion criteria in order to be considered for expansion, some schools were outstanding but it was not possible to

expand them given the funding available. Further, officers, clarifying to members about the consistency in the selected schools, explained that all of the fifteen selected for expansion were in areas of growth and that none of the schools would become too large. All had a good physical site for expansion and all were popular schools. Members sought clarification as to how officers defined an 'area of growth'. Officers informed the Committee that growth was projected through birth data and NHS figures. Projections were also based on buildings and in statistical terms, it was contended, were very reliable. The ward-level projections were particularly effective, as they were able to take into account fluctuation of population; those leaving and moving, working to a 95% occupancy level (thereby providing 'flex' in the figures to make allowance for population mobility).

At this point in the meeting, Cllr Darvill requested that he be permitted to present to the Committee the reasons for the requisition. After some discussion, the Chairman asked that councillors restrict themselves to questions to officers to ensure that all issues could be raised. All of the reasons for the requisition would come out during questioning.

Back to questioning, members sought to understand why the fifteen schools selected for expansion had been chosen against the other schools. It was explained that popular schools that could be expanded and that would not become too big had been selected. The criteria had been reviewed and above all schools that would be able to cope with expansion had been selected. Members contended that many other schools were popular in Havering and queried as to whether they had been approached to consider expanding. Officers responded that all schools had been approached and had been part of the process from the start. No school that wanted to expand and that had capacity to expand was refused.

Some members suggested that it was a shame that only high-performing and oversubscribed schools had been selected for expansion, as evidence had suggested that one way of improving failing schools was to expand them and increase the intake cohort. Improving the buildings and physical space of such schools also tended to improve performance. However, Havering had taken a position, it was explained, that felt it was inappropriate to add additional pressure to failing schools by increasing their intake.

Other members expressed a concern that inaccurate information was present in the Cabinet report, particularly surrounding the proposals to expand Branfil. Information was circulated that purported to indicate that Branfil was already oversubscribed. However, this evidence was said not to demonstrate whether Branfil was oversubscribed. Members further contended that the population within the catchment area of Branfil was going down and that it was therefore wrong to select Branfil for expansion, as the decreased population within the catchment area would likely see an increase in out of borough children take places that should go to Havering children. The argument was that Upminster ward (where Branfil School was located) had seen an 8.8% increase in births compared with a 15.6 increase in births in Cranham. This would equate to a shortfall of 18 places, with pupils have to travel a long way to attend school at Branfil (given that

Upminster is such a large ward). Officers stated that travel plans would be constantly revised to ensure that they were achieving what was required.

Members stated that it would have been helpful if the birth rates and other statistical data around population projections had been included in the Cabinet report. The capital spend for the expansion of Branfil School was £5.5 million against high demand in other areas, with a net loss of two forms of entry across the borough. It was contended that there was a big question around how resources were being strategically allocated. £5.8 million was being assigned to a school (Branfil) that needed refurbishment and this had nothing to do with expanding school numbers. Capital needed to be distributed more effectively and evenly to avoid the loss of two forms of entry. Officers explained that by wrapping up the refurbishment of Branfil School with its expansion achieved economies of scale. The Cabinet member that there were two problems being tackled in parallel, the expansion of Branfil could have been treated as a stand alone project, but there was a cost saving to combining it with the expansion of the school. Some members expressed a concern that Branfil School had been selected over and above other schools because of the cost saving that could be achieved by refurbishing it at the same time. Officers ensured members that this had not been the case.

Returning to the issue of travel plans for Branfil, members requested that as Branfil was on the west of the planning area a mid-point school would have been more appropriate. Branfil, it was argued, had no public transport and it was requested that the travel plan for the school be reviewed and updated. Officers explained that planning conditions included a condition to review travel plans and this was to be discharged.

There was a question about the proposed expansion of Pyrigo School, which was originally considered for expansion under the plans for the Learning Village in Harold Hill. Essentially, there was a concern that the school would be unable to cope after some members had had a discussion with the school's head teacher. Officers explained that Pyrigo had made the decision to expand themselves; it had been their request and was not part of Havering's process.

In relation to the two-form shortfall in Romford, officers explained that there would be a careful consideration of commissioning of school places, with the new Strategy coming to Cabinet taking careful consideration of this issue.

The Committee moved on to consider the second reason given for the requisition, noting that many of these issues had already been discussed in the first part of the debate.

There was a discussion around the way capital disposal of schools had been dealt with in the past, but officers explained that this was due to government dictate and new guidance allowed Havering more flexibility. Members asked how much of the capital funding outlined in the report was

from government and how much was from Havering and officers explained that capital receipts from closed schools had been used for school expansion elsewhere, separate from these new plans. Questions around Ingrebourne, which was currently being used for community groups, and whether it could be brought back into use to mitigate against the two-form shortfall, were posited. Officers explained that Ingrebourne was not immediately available, but the site was viable.

Moving on to consider the third reason for the call-in, members commented on the tight timetable and the likelihood that the September 2013 deadline was unrealistic. Members asked what would happen if the timetable was not met. Officers explained that in terms of Branfil and Mead schools, Havering was confident that the deadline could be met and officers had recognised that for other schools the deadline would be challenging. To mitigate against this, one option being explored was to accelerate some of the expansion. The worst case scenario would involve looking for temporary provision.

All questions having been asked and the debate being finished, the Chairman asked members to vote on whether or not they would like to uphold the requisition.

The proposal that the requisition be upheld (and therefore that the matter be referred to the Cabinet for further consideration) was LOST (by 8 votes to 4 with one abstention).

The voting was as follows:

FOR: Councillors Murray, Ower and co-opted members Garry Dennis and Philip Grundy

AGAINST: Councillors Binion, Brice-Thompson, Gardner, Pain, Wallace, Wells and co-opted members Julie Lamb and Anne Ling.

ABSTENTION: Councillor Dodin

The requisition was not upheld.

Chairman