



CABINET

24 September 2014

Subject Heading:

IMPLEMENTATION OF THE PHASE 2 PRIMARY SCHOOL EXPANSION PROPOSALS - RAINHAM

Cabinet Member:

Councillor Meg Davis – Lead Member for
Children and Learning

CMT Lead:

Joy Hollister - Group Director, Children
Services, Housing and Adult Social Care

Report Author and contact details:

Mary Pattinson, Head of Learning and
Achievement

mary.pattinson@havering.gov.uk

Tel. 01708 433808

Policy context:

The recommendations have implications in
the Rainham area

Financial summary:

Estimated costs of £2m, funded from the
Phase 2 of the Primary Expansion
Programme re Parsonage Farm/Rainham
Planning Area

Is this a Key Decision?

Yes as expenditure arising from
implementation of the recommendations is
likely to exceed £500,000

When should this matter be reviewed?

September 2015

Reviewing OSC:

Children's Services

The subject matter of this report deals with the following Council Objectives

Ensuring a clean, safe and green borough	<input type="checkbox"/>
Championing education and learning for all	<input checked="" type="checkbox"/>
Providing economic, social and cultural activity in thriving towns and villages	<input type="checkbox"/>
Valuing and enhancing the lives of our residents	<input type="checkbox"/>
Delivering high customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

Cabinet decided on 20th November 2013 to initiate statutory processes to permanently expand the capacity of a number of primary schools from September 2014. Following the completion of the appropriate statutory processes, an Executive Decision was made by the Lead Member for Children and Learning and the Lead Member for Value on 15 May 2014. This recommended proceeding with the proposed school expansions. This was then “called in” under a requisition signed by two Members representing more than one Group on 21st May 2014.

The requisition was considered at a special meeting of the Children and Learning Overview & Scrutiny Committee on 24th June 2014. At this meeting the requisition was partially upheld for the Parsonage Farm, Scotts Primary and The RJ Mitchell schools. The expansions of the remaining schools were approved. These schools included Broadford Primary, Benhurst Primary, Newtons Primary, The Mawney, Suttons Primary and Hacton Primary schools.

The decision of the special meeting of the Children and Learning Overview & Scrutiny Committee on 24th June 2014 was considered at a Cabinet meeting on 30th July 2014. At this meeting Cabinet took the decision to approve the expansion proposals for the RJ Mitchell and Scotts primary schools. It also decided to defer the decision as to whether to agree proposals to expand Parsonage Farm. This was so that further work could be undertaken by officers to more fully explore expansion issues in the Rainham area.

Following the Cabinet meeting, officers across the Council have considered a range of issues related to the expansion of Parsonage Farm Primary.

RECOMMENDATIONS

That Cabinet uphold the decision of the Lead Member made on 15th May in respect of Parsonage Farm Primary School.

REPORT DETAIL

Introduction

1. On 20th November 2013, Cabinet decided to initiate the necessary steps needed to undertake the statutory processes necessary to permanently expand the capacity of a number of primary schools from September 2014. The decision about which particular schools was delegated to Lead Member for Children and Learning and Value. Following this Cabinet decision, and

in the light of projections of pupil numbers, school organisation officers considered a range of options for increasing primary phase school capacity. This included the expansion of existing community schools, the expansion of existing schools on 'split sites' where existing main sites are constrained, the establishment of primary phase provision on secondary school sites possibly as 'all through provision' and the encouragement of Free Schools to be established in areas of highest need. Subsequently, nine schools were identified for proposed expansion. These included Broadford Primary, Benhurst Primary, Newtons Primary, Parsonage Farm Primary, Scotts Primary, R J Mitchell Primary, The Mawney School, Suttons Primary and Hacton Primary.

Statutory Processes and Expansion Proposals

2. Following the identification of the proposed schools to be expanded, a statutory consultation process was undertaken in February and March 2014. A subsequent Non-Key Executive Decision was made by the Head of Learning and Achievement on 24th March 2014 to proceed to the representation stage. The representation stage, from 28th March to 25th April 2014, complied with statutory requirements and invited representations from all interested parties on these proposals to permanently expand nine primary phase schools.
3. The Statutory Notice, that included details of the expansion proposals for all nine schools, was published in the Romford Recorder on 28th March 2014; notices were also fixed to the entrance gates of each school and circulated to all interested parties, including all schools in Havering, neighbouring boroughs, the Diocese of Chelmsford and Diocese of Brentwood and the DfE, as required by legislation. A Notice was also published on the Council's website with a link to further information about the proposals and information sent to local MPs.
4. During the representation period, a total of 67 objection responses were received relating to 2 of the nine schools. 66 of these were received for Parsonage Farm Primary School of which included 2 petitions totalling 235 signatures from residents in the local area and 190 signatures from parents/carers. The objection comments raised specific concerns relating to;
 - Road and traffic congestion
 - Parking
 - Pedestrian issues
 - Loss of playground space and overcrowding of existing ancillary facilities
 - Potential rise in noise levels during school times
5. It was noted that the Headteacher and the Governing Body of the school fully support the proposal to permanently expand Parsonage Farm Primary School.
6. One objection response was received for Hacton Primary School.

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7. It was noted that the Headteacher and the Governing Body of the school fully support the proposal to permanently expand Hacton Primary School.
8. Seven schools, namely Broadford Primary, Benhurst Primary, Newtons Primary, Scotts Primary, RJ Mitchell Primary, The Mawney and Suttons Primary schools received no representations.
9. Following the end of the representation period and after due consideration of all the responses, an Executive Decision to proceed with these schools was signed on 15th May 2014, by Lead Member for Children and Learning and Value. This Executive Decision recommended proceeding with all 9 proposed school expansions as detailed in the table below;

School	Current Capacity	Proposed Capacity as from	Number on roll as at Jan 2014	Current Published Admission Number	Proposed Admission Number
Broadford Primary	330	420 from 1 Sept 2014	360	45	60 from 1 Sept 2014
Benhurst Primary	315	420 from 1 Sept 2014	311	45	60 from 1 Sept 2014
Newtons Primary	315	420 from 1 Sept 2014	303	45	60 from 1 Sept 2014
Parsonage Farm Primary	486	840 from 1 Sept 2015	467	90	120 from 1 Sept 2015
Scotts Primary	210	420 from 1 Sept 2015	213	30	60 from 1 Sept 2015
The RJ Mitchell Primary	210	420 from 1 Sept 2015	217	30	60 from 1 Sept 2015
The Mawney School	296	630 from 1 Sept 2016	297	60	90 from 1 Sept 2016
Suttons Primary	262	420 from 1 Sept 2016	216	30	60 from 1 Sept 2016
Hacton Primary	378	546 from 1 Sept 2016	371	50	78 from 1 Sept 2016

10. On 21st May 2014 the Executive Decision was “called in”. The reasons for the requisition were detailed on the formal notification and were as follows:
 - To consider the financial implications of the decision including the wider financial implications for the Council and individual schools arising from increasing admissions.
 - To consider the risks associated with the primary schools expansion programme as identified in the Notice of Key Executive Decision.
 - To consider the implications of the proposal to double the size of Parsonage Farm Primary School particularly the concerns of the parents and local residents over disruption to children’s education and the impact of the expansion will have on the local environment.
 - To consider whether the schools identified for expansion will address particular local needs.

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11. A special meeting of the Children and Learning Overview & Scrutiny Committee was therefore held on 24th June 2014. At this meeting the requisition was partially upheld for the Parsonage Farm, Scotts Primary and The RJ Mitchell Schools. The expansions of the remaining 6 schools, were approved. These schools include Broadford Primary, Benhurst Primary, Newtons Primary, The Mawney, Suttons Primary and Hacton Primary schools. The minutes of this special meeting are included at Appendix 1.
12. At the Cabinet meeting on 30th July 2014, the decision of the special meeting of the Children and Learning Overview & Scrutiny Committee on 24th June 2014 was considered. At this Cabinet meeting it was decided that the expansion proposals for the RJ Mitchell and Scotts Primary schools would go forward, but that the expansion proposals for Parsonage Farm Primary school would be deferred subject to further review of the issues Appendix 2.

Options for Rainham area:

13. The primary schools which are being considered for expansion within Havering have been identified because they match the following criteria:
 - They can be expanded as there is scope to create additional accommodation on site
 - They are located accessibly to where there is increased pressure on places
 - They are sufficiently educationally secure and resilient to have the capacity to manage a significant increase in size without adverse impacts on standards
 - There is clear aspiration on the part of the school to manage the expansion
 - The expansion should provide good value for money
14. These criteria were also applied when consideration was being made about options within the Rainham area.
15. The following table indicates the minimum additional permanent primary phase capacity, that school organisation officers forecast will be needed for the Rainham school planning area for September 2015 and then for the next five years;

July Forecast	2013	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
Reception Capacity	255	255	255	255	255	255	255	255	255
Projected Rolls	257	255	263	274	279	286	291	294	
Projected Rolls with Housing	259	267	281	297	304	313	309	305	
Surplus/Deficit	-4	-12	-26	-42	-49	-58	-54	-50	

Additional places needed to maintain 5% surplus	-17	-25	-40	-57	-64	-74	-69	-65
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16. The table above shows that the Rainham school planning area will need an additional 1 Form of Entry (FE) by 2015/16 to meet the planned demand for school places, with a further 1 FE expansion required over the next five years. Schools in the Rainham school planning area includes Brady Primary, La Salette Catholic Primary, Parsonage Farm Primary and Rainham Village Primary schools.
17. Parsonage Farm was identified as being the preferred school; it was therefore this school that was consulted on within the Rainham area.
18. Following the decision of Cabinet on July 30th, officers from a range of council teams, including Learning & Achievement, Asset Management, Corporate Property Services and Planning & Regulatory Services have further reviewed all the options for school expansions in the Rainham School planning area against the criteria above.
19. The findings of the review by officers are:
 - The expansion of Parsonage Farm Primary school still represents the best option for the delivery of the required additional school capacity for September 2015.
 - Parsonage Farm Primary school is a good school and is popular with pupils and parents with strong leadership.
 - The school are confident that the benefits from having a larger school will enable them to provide an excellent education for all pupils and it can cater for all of the children living in Rainham & Wennington and South Hornchurch wards.
 - The expansion of Rainham Village Primary school is an option to meet the further future requirements for school places over the next 5 years in the Rainham School planning area, but is not viable for delivery by September 2015 due to the following reasons:
 - A statutory process would be needed to permanently expand the school and this would not be completed in the time required, therefore leaving families in Rainham and Wennington without sufficient local places for their children to attend in September 2015.
 - The statutory consultation process could raise a range of issues which are at the moment unknown.
 - The expansion would be complicated by the site constraints.
 - There are options to increase the site area to the necessary requirements, but this may require a land swap which would delay implementation.
 - Significant building work, and therefore increased costs, would be needed to deliver the expansion, including demolition of existing building(s).

- A proposal to re-build an annex of Rainham Village Primary school has been submitted as part of the Phase 2 Priority School Building Programme to address condition issues of the building. If the bid is successful the DfE would provide funding for this building works with the LA only having to fund part of the cost of any works that were needed to deliver the required additional capacity for 2017/18.
20. The decision making process for expanding schools is one of a number of responsibilities that sit under the Government's Office for School's Adjudicator (OSA). The OSA has oversight of, and responsibility for ensuring that the processes that all councils use in making their decisions are fair, equitable and timely. The OSA has, as expected, been monitoring the decision making processes in Havering.
 21. Following the decision of Cabinet on 30th July 2014, the OSA has informed the Council of what it considers are our next steps and has informed the Council that the Cabinet is required to make a final decision in relation to Parsonage Farm before the Council can reconsider any other options.
 22. Should Cabinet not be able to make a decision in relation to Parsonage Farm, the Council is then obliged either to refer the decision to the OSA who will make a determination or to revoke the original decision with the potential to start afresh if so minded. The decision making processes of the OSA are legally binding and based on the information presented to the decision maker, which in this case was the Lead Member. However, it is important to note that although the OSA should make decisions in a timely manner, in a number of other authorities this has taken a number of months.
 23. Cabinet is therefore asked to uphold the decision of the Lead Member on 15th May 2014 on the proposal to expand Parsonage Farm before further consideration can be given to the various alternatives available in the Rainham area to increase school capacity.
 24. It is to be noted that Cabinet are not being asked to retake the original decision which was made by the Lead Member following comprehensive consideration of all the relevant matters.

REASONS AND OPTIONS

Reasons for the decision

1. This decision is necessary to ensure the provision of sufficient primary school places to meet the forecast rise in primary pupil numbers. A summary of representations and petitions received, and officers' comments on them, is included in Appendices 3a and 3b. It was considered that these issues could be addressed by the implementation plans that have been made, especially related to the impact of the expansion on the local environment.

2. Whilst the Council appreciates the potential difficulties that may arise, the Council considers that these are overridden by the Council's statutory duties to provide sufficient places for the forecast long term increase in primary pupil numbers. If expansion plans are not progressed, then the probability is that there will be school age children within Havering without a secure a place in a local school.
3. We have looked at the possibility of expanding other local schools in the Rainham area and indeed may need to explore these options further in the future as demographic pressures continue to increase. However our initial investigations of the available opportunities have resulted in a proposal that the expansion of Parsonage Farm is the most appropriate option at this time. The reasons for this are the school's clean and simple single storey design, which allows us to achieve a modern, high quality and cost-effective building solution which would not be easily achieved elsewhere, the size of the site which allows the new build to occur without inappropriate loss of playing field space and the delivery of the build project in time for September 2015 when the additional places will be needed.

Other options considered

4. A number of options have been considered for each planning area against a clear set of criteria which included looking at site capacity, value for money and whether each school is educationally secure and resilient to have the capacity to manage an increase in size without adversely impacting on standards. Not providing any additional places is not an option as the Council would be failing to meet its statutory obligations.

IMPLICATIONS AND RISKS

Financial implications and risks

Capital

The 14/15 budget approved by Council in February 2014 included £29.3m for Phase 2 of the Primary Expansion Programme. However at that time only £21.2m of funding was identified although it was suggested that the gap of £8.1m could be reduced as costs of schemes become clearer and/or funded by s106 contributions, additional grant, tariff or capital receipts. As plans have been finalised a number of expansions have not progressed and costs of other schemes have become clearer. This has resulted in estimated costs reducing to £21.2m, in line with the funding currently available.

Both the original capital programme and the latest cost estimates include £2m for the provision of 1FE in Rainham/Parsonage Farm.

Revenue Implications for schools

The revenue implications for schools are that, in creating additional classes from September 2015 and in subsequent years as the cohort moves through the school, additional costs will be incurred particularly for teaching and support staff. From the financial year 2016/17 the schools will receive additional funding through their budget shares as the pupils will be on roll at the date of the pupil census that is used to calculate funding. For the period September 2015 to March 2016, however, additional resources will need to be provided. These will be met from a Pupil Growth Contingency held within the Schools Budget (funded by the Dedicated Schools Grant) as agreed by the Schools Funding Forum.

Revenue Implications for the Local Authority

It should be noted that an increase in school admissions across the Borough may also have a 'knock-on effect' on other LA budgets such as Special Educational Needs, home to school transport, etc. The details of this are currently being quantified and any pressures arising will be addressed through the appropriate channels. The DSG allocation to the LA is based on pupil numbers and will therefore increase each year as pupil numbers rise. The majority of this increase will be allocated to the schools with the additional pupils through the Schools Funding Formula although there may be some available to meet other school-related pressures.

Risks

There is a risk that pupil numbers continue to grow and that the places delivered as a result of phase 2 are insufficient, leading to the need for additional places and funding.

Further risks are that, as capital projects develop, costs increase over and above the funding available and/or that additional costs are incurred as a result of the short timescales available for the delivery of additional classrooms. In addition to the financial risks the timescale also puts the delivery of the programme at risk. Wherever possible, measures are being taken to minimise these risks.

Legal implications and risks

At present certain types of school organisational change (including change of age range, change of character and expansion through enlargement of premises) are subject to statutory processes of consultation and decision-making.

The LA is the decision-maker for expansion (enlargement of premises) proposals for community, foundation and voluntary schools. Decisions must be made within a period of two months of the end of the representation period or they must be referred to the Schools Adjudicator.

"Paragraph 5(4) of the Alterations Regulations (2013/3110) states that where the local authority does not make a determination within the period prescribed by subparagraph (3), the proposals must be referred to the adjudicator. In this case executive decisions were taken in respect of all the schools on 15th May 2014, which is within the two months prescribed period. The officer concerned had full delegated authority to take those decisions. As a result of local government

legislation those decisions were requisitioned by Councillors to be considered by the Scrutiny committee. That Committee then referred the decisions on to Cabinet as is their statutory power but Cabinet upheld the original decision in relation to two of the schools. Cabinet did not make any separate decision on the original proposals.

The only impact of the statutory scrutiny process is that the implementation had to be delayed pending the outcome of that process.

When issuing a decision, the decision-maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with modifications, having consulted the LA and/or governing body (as appropriate); or
- approve the proposal – with or without modification – subject to certain prescribed events (such as the granting of planning permission) being met.

The decision-maker must have regard to the statutory 'Decision-makers Guidance' – Appendix 4.

Human Resources implications and risks

The human resources implications for the schools to be proposed for expansion will be managed by the schools themselves. There is likely to be a need to recruit additional teaching and support staff and the relevant schools will undertake the recruitment and selection process in accordance with the appropriate policies and procedures. It is not anticipated that the school will have any difficulties recruiting new teaching or support staff as long as appropriate planning is undertaken.

Equalities implications and risks

An Equality Impact Analysis has been undertaken for Phase 2 of the Expansion programme and is attached as Appendix 5.

BACKGROUND PAPERS

None