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**MINUTES OF A SPECIAL MEETING OF THE
CHILDREN & LEARNING OVERVIEW & SCRUTINY COMMITTEE
Council Chamber - Town Hall
24 June 2014 (6.30 - 8.35 pm)**

Present: Councillors Gillian Ford (Chairman), Jason Frost (Vice-Chair), Philippa Crowder, Nic Dodin, Carol Smith, Whitney and Julie Wilkes

Co-opted Members: Phillip Grundy (Church of England) and Anne Ling (Primary Schools)

Officer Attendance: Mary Pattinson (LBH), Trevor Cook (LBH), Bob Wenman (LBH), Taiwo Adeoye (LBH) and Lorraine Hunter-Brown (LBH)

Apologies: Jack How (Roman Catholic Church), Julie Lamb (Special Schools), Garry Dennis (Secondary Schools), Margaret Cameron (NAHT), Keith Passingham (NASUWT) and Ian Rusha (NUT)

+Councillor Phil Martin was substitute for Councillor John Glanville and +Councillor Frederick Thompson was substitute for Councillor Joshua Chapman

111 **APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

Apologies for absence were received and noted. The Chairman announced Councillors Phil Martin and Frederick Thompson as substitutes for Councillors John Glanville and Joshua Chapman respectively.

112 **DECLARATION OF INTERESTS**

None declared.

113 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

114 **IMPLEMENTATION OF THE PRIMARY EXPANSION PROPOSALS - CALL IN OF CABINET MEMBER 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 the decision of the former Cabinet Member for Children

and the former Cabinet Member for Value. On this occasion Councillors Keith Darvill and David Durant had called in the decision of the Cabinet dated 15 May 2014 relating to the Implementation of Primary School Expansion Proposals. The decision of the Cabinet was:

At a meeting on 20 November 2013, the Cabinet decided to initiate statutory processes to permanently expand the capacity of primary schools from September 2014. Following the statutory consultation process undertaken in February/March 2014, the Head of Learning and Achievement signed the Non-Key Executive Decision on 24 March 2014 to proceed to the representation stage.

The representation stage, from 28 March to 25 April 2014, complied with statutory requirements by inviting representations from all interested parties on the proposals to permanently expand nine primary phase schools. A Statutory Notice, that included details of the expansion proposals for all nine schools, was published in the Romford Recorder on 28 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 Dioceses of Brentwood and the Department for Education, as required by legislation. A Notice was also published on the Council's website with a link to further information about the proposals.

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

The Governing Body fully support the proposal to permanently expand Parsonage Farm School.

1 objection response was received for Hacton Primary School which highlighted the following issues:

Potential increase in traffic in the area surrounding the school

Short sightedness of the Local Authority's decision when schools were closed in the borough due to falling numbers

Allowing establishment of free schools as opposed to expanding existing ones.

The Governing Body of the school fully support the proposal to permanently expand Hacton Primary School.

Seven schools namely; Broadford, Benhurst, Newtons, Schotts, RJ Mitchell, The Mawney and Sutttons received no representations.

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION					
1. To approve the statutory proposal to expand the capacity of the following nine schools:					
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	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

Reasons for decisions:

To approve the statutory proposal to expand the capacity of the following nine schools: Broadford Primary, Benhurst Primary, Newtons Primary, Parsonage farm Primary, Scotts Primary, the RJ Mitchell Primary, the Mawney School, Sutttons primary Hacton Primary.

Other options considered and rejected:

Do Nothing - this is not practical due to the legal and statutory obligation placed on the council to provide sufficient school places and the pressures currently faced across the borough.

Expansion of Schools - this preferred option has the support of each School's governing Body and local community and forms part of the wider development of the Schools for which funding has been made available within the Capital Programme.

REASONS FOR REQUISITION

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

1. To consider the financial implications of the decision including the wider financial implications for the Council and individual schools arising from increasing admissions.
2. To consider the risks associated with the primary schools expansion programme as identified in the Notice of Key Executive Decision.
3. 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.
4. To consider whether the schools identified for expansion will address particular local needs.

The Chairman invited the two Members, Councillor Durant and Councillor Darvill to state their reasons for calling in the executive decision.

Councillor Durant referred to Parsonage Farm School and stated that to increase the pupil numbers from 486 to 840 would result in Parsonage Farm becoming the only 4FE school in the borough. There had been objections to the plans for reasons of disruption to the pupil's education, increased highway traffic and concerns about local infrastructure. Councillor Durant referred to the Council Policy 2012 - 2016, Page 10, Section 4 that stated increasing school places could affect the ethos of the school.

The Government had banned the building of new schools and the Local Authority could only expand in existing schools and yet there was an increase in demand for school places. Councillor Durant suggested that the Head Teacher and Governors had supported the expansion in order to obtain more funding. Making Parsonage Farm a 4FE super-sized Primary school was not the answer.

Councillor Darvill stated that he agreed with Councillor Durant and added that the short sighted policy of early closure of schools and the mismatch of primary places in the borough was the cause of the problem. It was therefore necessary that the Children and Learning Overview & Scrutiny Committee should look at the matter and address these concerns. Councillor Darvill referred to Parsonage Farm School and queried whether the large number of objections raised by parents and local residents had been properly addressed. The school was limited in space and there were current difficulties in delivering the curriculum.

Councillor Darvill advised the Committee that he had no concerns regarding the proposals for Broadford Primary School, Benhurst Primary School and Newtons Primary School and that he was happy for the expansion plans for these schools to progress.

With regards to the remaining schools, it was to ascertain whether a need was being addressed in a planning area. Councillor Darvill made reference to the Harold Hill locality where 1500 houses were being built yet the Ingrebourne School had been closed down and was now leased to community groups. With increasing birth rates and an increase in people moving to the borough, closures of schools had been made far too early. There was also a significant demand for school places in the Romford area. Councillor Darvill stated that he had heard rumours about a Free School however he was of the view that provision of school places in the borough was a disaster.

Councillor Darvill queried what the financial risks were for the Council and governing bodies and requested that these should be made clearer and that the Committee should be investigating these. In addition, relevant data on school admissions and parent choices should be analysed so that informed decisions can be made on where school places will be most needed over the next five years.

The Chairman invited a representative to speak on the behalf of parents and local residents regarding Parsonage Farm School.

In representing the parents and local residents' views with regards to Parsonage Farm School, the speaker stated that the Council had not considered the full impact of the expansion. The speaker queried why additional school places were being provided in the south of the borough when school place pressures were in the north of the borough. The speaker made reference to the impact on local infrastructure, increased traffic and associated problems with double parking and road safety issues which had been increasing since 2012. Particular emphasis was made to buses currently having difficulty accessing roads in the area because of double parking and an increase in accidents and injuries.

The speaker advised the Committee to note the current facilities at the school. Some PE lessons were held in a classroom because the school hall was in use for lessons. The playground was too small and there was a shortage of storage space. In increasing the pupil numbers to 840, there would be difficulty in providing lunch facilities. The speaker expressed her concern as to whether the funding for the expansion would be adequate to cover the cost of all the additional facilities required. The speaker concluded that Parsonage Farm was not suitable for expansion and asked the Committee to re-consider the decision.

The Head of Learning and Achievement and the School Provision and Commissioning Manager were asked by the Chairman to present on behalf of the Local Authority.

Officers explained the reasons behind previous school closures as government policy required Local Authorities to reduce surplus places from 2005 onwards. As a consequence, Ingrebourne, Dunningford and Manor Primary Schools were closed. Officers presented the planning processes and funding around the proposals (*Appendix 1*) in addition to the projected school intake figures to 2023.

When considering Parsonage Farm along with the other schools in the Rainham area for proposed expansion, criteria such as scope to create additional accommodation, accessible location, educationally secure with strong leadership and management, governors' willingness to expand and good value for money were applied. Parsonage Farm had been chosen because it was a good and popular school with strong leadership. The school management were confident that they could provide an excellent education for all pupils and that the school would cater for children in Rainham & Wennington and South Hornchurch wards. The Head Teacher and Governors were confident that the ethos of the school would not change.

The Chairman requested that the Head of Street Care respond to the current traffic/road safety issues raised by the parent/resident representative.

The officer stated that he had not been made aware of any additional incidents or serious injuries apart from one accident. Double parking was an issue at every school which was primarily due to driver behaviour. Parking Enforcement officers were not able to attend every school in the borough each day. The officer had not received any reports of buses having difficulties accessing roads in the area and advised that he regularly met with bus companies and the Police. The Chairman asked that this particular query be followed up. Several Committee members and Councillor Durant requested that traffic and transport be included as part of the planning process.

The Head of Learning & Achievement was asked to respond to a question relating to the number of 3FE schools in the borough and what was the guidance in increasing to 4FE. The officer stated that they usually did not expand over 3FE; however, the policy was reviewed as there were other Local Authorities who had 4 FE schools. Parklands School in Havering which was already a 4FE was looked at. The school worked very well. There were a number of 4FE schools in other authorities and some London boroughs were looking at 6FE, 7FE and 8FE.

In a question about Free Schools, the officer responded that the Council were looking wherever possible at Free School proposals but it was not the Local Authority's choice. Havering, however, is working with free schools. The Drapers Company and Queen Mary College had been appointed by the Local Authority as sponsors for the Free School.

The Head of Learning and Achievement was asked to respond to a question about dining facilities at Parsonage Farm School. The officer advised that she had visited the school and that the school has two dining rooms. The school is a 3FE in statute, although there has been a temporary reduction in the number of children placed there for a period owing to falling rolls but birth rates were now increasing and the school has been 3 FE for two years now. There were a number of building works taking place which were linked to this.

There had been a change to the PAN admissions at Parsonage Farm which had been reduced from 90 to 60. This was not a statutory reduction, only a temporary arrangement. There were a number of 4FE schools in the country and these are run well. The additional revenue would also provide more facilities and better outcomes.

In a response to a question regarding rising birth rates, the officer confirmed that the Local Authority were certain of the projected figures for the next five years and that the figures were accurate as far as they could be. Data was reviewed each month. There was in-migration to Romford as well as people leaving, however, the borough was noted for its good standard of schooling and therefore people wanted to move to the area.

The officer concluded that the Local Authority had evaluated all options in Rainham and that there were very few choices in the area. Most parents wanted to walk their children to infant and junior schools. Other schools in other areas across the Authority were also expanding and that the Planning Committee would consider all issues with traffic and infrastructure.

The Local Authority always looks at all different possibilities in order to meet their statutory requirements. Parents are reluctant to send their children too far away. The other option of choosing to expand Rainham Village School would have been more complex.

Prior to the vote, the Head of Learning and Achievement advised the Committee that it was proposed to rebuild the Suttons, Mawney and Hacton Schools with funds from Central Government, and that if the requisition was upheld, the funding would be withdrawn.

Councillor Darvill stated that he was sceptical that this information had only just been made available, however, he did not wish to jeopardise funding coming into the borough. The Councillor accepted that the three schools could be removed providing the requisition vote went ahead on the remaining three.

The Chairman therefore asked the Committee to vote on whether to uphold or not uphold the requisition on Parsonage Farm, Scots Primary and The RJ Mitchell Schools.

7 Committee Members voted to uphold the requisition on the above schools:

Councillors Nic Dodin, Gillian Ford, Phil Martin (Substitute for Councillor John Glanville), Reg Whitney, Julia Wilkes. Co-optees Phil Grundy and Anne Ling.

3 Committee Members voted not to uphold the requisition on the above schools:

Councillors Jason Frost, Carol Smith and Frederick Thompson (Substitute for Jason Chapman).

Councillor Philippa Crowder abstained.

The requisition was partially upheld.

The meeting ended at 8.35 pm.

Chairman

Appendix 1

ADMISSIONS

- The Local Authority is required by law to co-ordinate admissions to all infant, junior and primary schools and academies (except private or special schools) in the borough.
- Parents/carers may list up to 6 maintained infant/primary schools or Academies, within and/or outside the borough. Should parents/carers wish their children to be considered for any voluntary aided denominational or foundation schools, such schools must also be included.
- Applications from out-borough residents will be considered using the same admissions criteria. The law requires that no distinction be made between applicants resident in Havering and those resident outside the Borough when the Admissions criteria are applied.
- The School Admissions Team will consider all the applications for community and voluntary controlled schools and prepare proposed offer lists for these schools. Voluntary aided and foundation schools, who are responsible for their own admissions, will do the same and send their proposed offer lists to the School Admissions Team.
- Havering will be notified of the outcome of applications made by parents/carers for schools in other Local Authority areas by the Local Authority in whose area the school is located.
- The School Admissions Team will check all the lists to see if any child is on more than one, the intention here is to ensure that no child receives more than one offer. The offer to be made will be the highest preferred school that the child qualifies for under the various admission criteria.
- When parents/carers make an application, it is made clear that if they provide false or deliberately misleading information whilst completing a school application, this application will become invalid and it may be a criminal offence. Furthermore, false information will result in the withdrawal of a school place and could lead to prosecution as there may be a financial loss to Havering Council due to the expense of funding a school place for their child.
- The School Admissions Team work closely with teams across the Local Authority to check the validity of school applications.

STATUTORY PROCESSES

The statutory process for making significant changes to schools has four stages:

Stage 1	Publication	Statutory proposal published – 1 day.
Stage 2	Representation (formal consultation)	Must be 4 weeks, as prescribed in regulations.
Stage 3	Decision	The decision-maker (usually the LA) must decide proposals within 2 months of the end of the representation period or decision defaults to Schools Adjudicator (OSA). Any appeal to the adjudicator must be made within 4 weeks of the decision.
Stage 4	Implementation	No prescribed timescale, but must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker.

The above statutory process relates to making significant changes to schools in line with current DfE legislation. The statutory process concerning making physical changes to the school, such as obtaining planning permission, is conducted independently of the above.

PLANNING PROCESSES

- Full application made on behalf of the school
- Local planning authority publicises and consults on application.
- Consultation includes residents, as well as traffic and transport.
- Application is considered by Planning Officer.
- If there are any objections, Application is considered by Planning Committee.
- Application is either refused, permission granted with conditions, or fully granted.
- If refused, new application can be made.
- If granted, work starts within time limit and must comply with any conditions.

FUNDING

- The 2014/15 Capital Programme includes funding of £12.7m for the schemes. Overall estimated costs can be contained within the overall funding available.
- Should it be possible to keep costs within the funding available then this will reduce the amount of LBH resources (not grant) required to fund this programme.
- In addition to the above capital works, it may be necessary to provide short term temporary accommodation for which funding is expected to be released from contingency.

- The Mawney primary school is due to be rebuilt as part of the Priority Schools Building Programme (PSBP), part of the building will initially need to be relocated in mobile classrooms in the school's car park to enable the building works to take place. The relocation costs are estimated at £800k.
- An additional £1,700,000 will be required to fund an expansion at the Mawney to provide one additional FE.
- The School Capacity Collection (SCAP) survey allows the Department for Education (DfE) to analyse a range of data.
- The survey identifies those areas where there are pressures on places and where significant shortfalls of places are anticipated and ask Local Authorities to let the DfE know of any plans to secure additional capacity.
- The DfE also ask Local Authorities to let them know of any other significant changes to capacity, such as school closures, and how they would affect the places available.
- They assess pupil projections from Local Authorities in order to monitor trends, but also to inform how much Basic Need funding should be allocated to assist Local Authorities to provide enough places to meet future demand.

PROJECTION FORMULA

The following data is used to calculate school roll projections:

- Actual birth data from ONS and NELFT
- Population projections from GLA
- Past school roll data from the school census
- Child yield from housing developments of 10+ units from the Havering planning department

The above data is used to calculate school roll projections as follows:

- The past trend of reception intake to total birth rate for the corresponding year is calculated, an average established and then applied to the birth rate for future years to calculate the projected reception intake.
- The past trend of cohort movement through the primary phase year on year from reception to year 6 is calculated, an average established and again applied to the projected reception intake to provide a borough wide primary projection by year group.
- The past trend of transfer from primary to secondary school is calculated to provide a year 7 projection, which is then projected year on year as before using past trends to provide a borough wide secondary projection by year group.
- Actual birth data is used from ONS and NELFT and projected birth data from the GLA
- Child yield expected from housing developments of 10+ units is calculated and factored into the projections.
- Primary projections are split out into seven planning areas to reflect the trend of families selecting a local primary school and to identify specific areas of school place demand.
- Havering also receive school roll projections from the GLA which are used to assess the accuracy of the in house model.

