



**Havering**  
LONDON BOROUGH

17/31 +  
appendices  
1, 2 + 3  
Decision  
NOW MADE

## Notice of KEY Executive Decision

<b>Subject Heading:</b>	Implementation of the Primary Expansion Proposals for Phase 3 and Phase 4 whether to proceed
<b>Cabinet Member:</b>	Councillor Robert Benham Cabinet Member for Children & Learning
<b>CMT Lead:</b>	Tim Aldridge, Director of Children's Services
<b>Report Author and contact details:</b>	Pooneeta Mahadeo School Organisation Manager pooneeta.mahadeo@havering.gov.uk 01708 431092
<b>Policy context:</b>	The proposed school expansions cost over £ 500,000 and significantly affect more than two wards.
<b>Financial summary:</b>	Costs for the building works required for providing additional places at these schools is estimated at £10,490m funded from the school expansion capital programme. Revenue implications for the schools will be funded from the DSG.
<b>Reason decision is Key</b>	The proposed expansions will cost £500,000 or more and will have significant effect on two or more wards.
<b>Date notice given of intended decision:</b>	24/03/2017

**Key Executive Decision**

<b>Relevant OSC:</b>	Children's services
<b>Is it an urgent decision?</b>	No
<b>Is this decision exempt from being called-in?</b>	No

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

Havering will be clean and its environment will be cared for	<input type="checkbox"/>
People will be safe, in their homes and in the community	<input type="checkbox"/>
Residents will be proud to live in Havering	<input checked="" type="checkbox"/>

***Place an X in the [] as appropriate***

## **Part A – Report seeking decision**

### **DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION**

- To approve the statutory proposal to expand the capacity of the following schools:

<b>School</b>	<b>Current Capacity</b>	<b>Proposed Capacity as from</b>	<b>Number on roll as at Jan 2017</b>	<b>Current Published Admission Number</b>	<b>Proposed Admission Number</b>
Broadford Primary	420	630 from 1 Sept 2017	477	60	90
Hylands Primary	420	630 from 1 Sept 2017	459	60	90
Rainham Village Primary	420	630 from 1 Sept 2017	426	60	90
Whybridge Infants School	180	270 from 1 Sept 2017	185	60	90
Whybridge Junior School	240	360 from 1 Sept 2018	237	60	90

- To alter the lower age range of Towers Infant School to make provision for a nursery with 8 FTE 2 year old places and 39 FTE 3 & 4 year old places from 1 September 2017.

### **Recommendation**

To make a decision on each expansion proposal as set out in the Decision-maker guidance – Appendix 1

- To permanently expand Broadford Primary School from 2 FE to 3FE from 1 September 2017
- To permanently expand Hylands Primary School from 2 FE to 3FE from 1 September 2017
- To permanently expand Rainham Village Primary from 2 FE to 3FE and **modify the implementation date to 1 September 2018**
- To permanently expand Whybridge Infants School from 2 FE to 3FE from 1 September 2017
- To permanently expand Whybridge Junior School from 2 FE to 3FE from 1 September 2018
- To alter the lower age range of Towers Infants School from 5 to 2 years from 1 September 2017.

**AUTHORITY UNDER WHICH DECISION IS MADE**

Cabinet agreed, at its meeting on 12 October 2016 to delegate the power to take further decisions regarding the approval of which settings/schools included within this report should be expanded or supported financially in the case of Academies (subject to the appropriate statutory processes) for Phase 4 of the Expansion Programme to the Lead Member for Children & Learning.

**STATEMENT OF THE REASONS FOR THE DECISION**

Each of the schools needs to expand to ensure the Council can fulfil its statutory duty to provide sufficient schools in the area because of continuing increases in school rolls and the birth rate. The need to expand schools in Rainham and South Hornchurch planning area is as a result of the Rainham housing zone bid which has been approved with an expected delivery of 3360 units.

**Broadford- 1FE expansion**

A non-key decision was made on the 31/03/2016 to publish a statutory notice regarding the proposal to expand the school from 2FE to 3FE. There was a delay in publishing statutory notice for this expansion as planning could not approve the expansion works before the demolition of an existing building where the expansion build was going.

A statutory Notice that included details of the proposal was published in the Romford recorder on 17 February 2017; notices were also fixed to the entrance gate of the school and circulated to all interested parties. A Notice was also published on the Council's website with a link to further information about the proposal.

The representation stage, from 17 February 2017 to 17 March 2017, complied with statutory requirements by inviting representations from all interested parties on the proposals.

No comments or objections were received during the representation period.

**Towers Infants School – Establishment of nursery provision**

A non-key executive decision was made on the 8/02/2017 to publish a statutory notice regarding the establishment of a nursery at Towers Infant School.

The statutory notice was published on 17/02/2017 which launched the four week representation period which ended on 17/03/2017.

One comment in favour of the proposal as shown below was received during the representation period.

*"I am writing in reference to the application from Towers Infants School to create a nursery facility on site.  
As a parent of a 6 year old currently at Towers and a full time working mum who is also currently expecting our*

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*second child in July having a nursery facility in the same site as my sons school would be extremely beneficial. The offer of 30 hours childcare for 3 & 4 year olds is also extremely welcomed by people such as myself who continue to work and struggle with the expenses of full time private childcare costs. In short I am expressing I am very much in favour of this proposal and am hopeful for a positive outcome."*

### **Hylands primary, Rainham Village primary and Whybridge Infant and Junior schools -1FE expansion**

A non-key executive decision was made on the 22/02/2017 to publish a statutory notice regarding the expansion of these schools by one form of entry each.

The representation stage, from 24 February 2017 to 24 March 2017, complied with statutory requirements by inviting representations from all interested parties on the proposals.

A Statutory Notice, that included details of the proposals, was published in the Romford Recorder on 24 February 2017; notices were also fixed to the entrance gates of each school and circulated to all interested parties, including all Havering schools, 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.

No comments or objections were received in respect of any of the proposals during the representation period.

## **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.

## **PRE-DECISION CONSULTATION**

No responses were received within the 4 weeks representation period of the publication of the statutory notice for Broadford Primary, Hylands Primary, Rainham Village Primary and Whybridge Infants & Junior schools expansion proposals.

One response was received within the 4 weeks representation period of the publication of the statutory notice to lower the age range of Towers Infants School to add nursery provision. The response supports the proposal.

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**NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER**

Name: Pooneeta Mahadeo

Designation: School Organisation Manager

Signature:



Date: 12/04/2017

## **Part B - Assessment of implications and risks**

### **LEGAL IMPLICATIONS AND RISKS**

The Council has a statutory duty to ensure sufficient primary and secondary education is available to meet the needs of the population of their area (Section 13 Education Act 1996). It is clear that without a strategy to increase the provision within the Borough over the next few years the Council may fall into breach of its statutory duty.

Under Regulation 5 of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013/3110 an enlargement of the school premises which increases capacity by either (a) more than 30 pupils; or (b) by 25% or 200 pupils (whichever is the lesser), needs to go through the statutory notice procedure. In this case the proposals require publication as each of the schools will increase capacity by 25% or more.

The proposals appear prudent in order to meet the Council's statutory duties. The decision maker must conscientiously take into consideration the views and representations made by the consultees before arriving at a decision. No representations were received for the proposals to expand Broadford Primary, Hylands Primary, Rainham Village Primary and Whybridge Infants & Junior schools.

One response was received in support of the proposal to lower the age range of Towers Infants School to add nursery provision.

The decision can be to approve, reject or modify the proposals in the light of the statutory consultation responses. 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.

### **FINANCIAL IMPLICATIONS AND RISKS**

#### **CAPITAL**

Work to physically expand the schools to accommodate additional pupils will be needed. Latest cost estimates are attached as Appendix 3.

#### **Revenue Implications for schools**

The revenue implications for primary schools are that, in creating additional classes from September 2017, additional resources will be incurred particularly for teaching and support staff. Schools' pupil-related funding is calculated each year based on the number of pupils on roll at the previous October census. As the expansions move through the schools' year groups, an additional class will be required in the school each year but the additional pupils arriving in September will not have been included in the previous October census for funding purposes. For the period September to March additional resources will need to be provided to meet the schools' additional staffing costs. The additional revenue funding allocated to schools 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.

The Government is currently consulting on a national funding formula which is to include a factor for pupil growth. Details are awaited on the funding that this will allocate to expanding schools.

**Nursery provision**

LAs receive funding for nursery provision through the Early Years block of the Dedicated Schools Grant (DSG). The funding is based on participation and is allocated according to the total number of FTE 3 and 4 year olds attending a provision within Havering at a census date in January and adjusted for either an increase or decrease in provision at a second census date in the following January e.g. for financial year 2017-18 the funding will be based on the January 2017 census and adjusted for participation in January 2018. The funding to a provider from 2017-18 will be £4.39 per hour plus a deprivation supplement.

The nursery at Towers Infant School will therefore be funded based on participation (i.e. the numbers on roll as at the two January census dates) from funding received through the Early Years block of the DSG. Any shortfall in funding caused by a low take up of the places available will be met from the school's delegated budget.

**Revenue Implications for local authorities**

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. Any pressures arising will be addressed through the appropriate channels.

**Risks**

As with most capital schemes, there is a risk that the schemes could overspend due to issues arising during the build process, however given the size of the works any significant overspend is unlikely. Any small issues arising can be funded from the remaining budget within the school expansion programme.

**HUMAN RESOURCES IMPLICATIONS AND RISKS  
(AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

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. There are growing difficulties in recruiting to teaching posts and therefore schools will need to consider that additional resources and a longer recruitment timescale may be required to fill vacancies. The Havering Education HR service will provide support as appropriate and required to all schools, academies or free schools that purchase relevant services.



### **EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

An Equality Impact Assessment (EIA) has been carried out for Phase 4 expansions. The proposals in this report are assessed as having a positive impact on groups with a protected characteristic. This arises from providing additional local school provision which will be compliant with the latest regulations which promote accessibility and other inclusive measures. The EIA is included as **Appendix 2** in the background paper.

### **BACKGROUND PAPERS**

#### **Appendix**

1. Decision-maker guidance for the proposals
2. EIA for Phase 4 primary expansion
3. Estimated costs (under restriction)

**Key Executive Decision**

**Part C – Record of decision**

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

**Decision**

Proposal agreed ✓

***Delete as applicable***

Proposal NOT agreed because

**Details of decision maker**

Signed



Name:

Cllr Abdul BENHAM

Cabinet Portfolio held:

Education

CMT Member title:

Head of Service title

Other manager title:

Date:

18/04/2017

**Lodging this notice**

The signed decision notice must be delivered to the proper officer, Andrew Beesley, Committee Administration & Interim Member Support Manager in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on 18/4/2017.

Signed

