



18/68 +
appendices
4 + 2
DECISION
TO BE
MADE

Notice of KEY Executive Decision

Subject Heading:	Implementation of the Primary Expansion Proposal for Phase 4 – Brady Primary School whether to proceed
Cabinet Member:	Councillor Robert Benham, Deputy Leader of the Council, Cabinet Member for Education, Children & Families
SLT Lead:	Tim Aldridge, Director of Children's Services
Report Author and contact details:	Pooneeta Mahadeo School Organisation Manager pooneeta.mahadeo@havering.gov.uk 01708 431092
Policy context:	The Council has a statutory duty to provide sufficient school places for the local population. In Havering the school age population is rising and this is projected to continue. The Council has to plan to meet the need and ensure permanent places are available on time.
Financial summary:	Costs for the building works required for providing additional places at Brady is estimated at £3m funded from the school expansion capital programme. The revenue costs related to the operation of the new provision at the school will be met from the Dedicated Schools Grant.
Reason decision is Key	The proposed expansions will cost £500,000 or more.
Date notice given of intended decision:	15/10/2018

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Relevant OSC:	Children and Learning
Is it an urgent decision?	YES
Is this decision exempt from being called-in?	NO

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

- Communities making Havering
- Places making Havering
- Opportunities making Havering
- Connections making Havering

Place an X in the [] as appropriate

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

Recommendation

To make a decision on the expansion proposals above as set out in the Decision-maker guidance – **Appendix 1**

- To approve the statutory proposal to expand the capacity of Brady Primary Primary School **from 1 September 2020**

School	Planning area	Proposed increase in PAN
Brady Primary School	Rainham and South Hornchurch	From 30 to 60

- To lower the age range of the school from 4 to 11 years old to 2 to 11 years old to establish a 30 FTE place nursery **from September 2019**.

Assuming the second proposal above is approved, to approve the construction of a new nursery provision to deliver new high quality school-based nursery places for 2,3 and 4 year olds at Brady Primary School.

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.

Additionally or in the alternative the power to take further decisions regarding expansion or financial support for Academies - not included within the report - in urgent and exceptional circumstances, (subject to the appropriate statutory processes and within the agreed capital programme) for Phase 4 of the Expansion Programme, to the Cabinet Member for Children & Learning after consultation with the Leader.

STATEMENT OF THE REASONS FOR THE DECISION

A non-key decision was made on the 24/09/2018 to publish a statutory notice regarding the proposal to expand the school from 1FE to 2FE due to the additional demand for school places which were set out in the Cabinet Report of 12 October 2016.

Brady is in the Rainham and South Hornchurch planning area where the Rainham Housing Zone bid has been approved with an expected delivery of about 3,500 units

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in the area. It is located in Rainham and Wennington Ward where there is a deficit of three and four year old Early Education and Childcare places as shown in the table below:

R&W ward	Projection	Capacity	Surplus/Deficit of places
2017/18	252	270	18
2018/19	310	270	-40
2019/20	301	270	-31
2020/21	298	270	-29
2021/22	295	270	-25

The implementation of a new nursery at Brady will help meet the projected demand for early years places in this area. The large amount of housing growth planned for the Rainham Housing Zone area will lead to more families living in the area requiring an early years place.

The below table shows the number of units due to be delivered in the Rainham & Wennington and South Hornchurch wards over the next three years and the associated 2, 3 and 4 year old child yield predicted to be generated by this new housing:

	Units due to be completed	Early Years child yield
2018/19	190	19
2019/20	274	27
2020/21	644	64

The LA's proposal is to lower the age range of the school to enable the establishment of a new nursery at the school from September 2019.

A statutory Notice that included details of the proposal was published in the Romford Recorder on 28 September 2018; 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 28 September to 26 October 2018, complied with statutory requirements by inviting representations from all interested parties on the proposals.

No objections or comments were received during the representation period.

OTHER OPTIONS CONSIDERED AND REJECTED

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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.

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

Name: Pooneeta Mahadeo

Designation: School Organisation Manager

Signature:

Date: 26/11/2018

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).

Under Paragraph 5 Schedule 2 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 to expand the main school and the nursery provision required publication as the school will increase its capacity by 25% or more.

The proposals appear prudent in order to meet the Council's statutory duties.

The Decision maker should carefully take into consideration the Decision Maker's guidance before deciding whether to implement these proposals.

Whilst any representations would normally need to be carefully considered there is no need to do so in this case because of the complete lack of responses.

FINANCIAL IMPLICATIONS AND RISKS

Funding is included within the Capital Programme as follows:

Cost Breakdown	£'m
Temporary accommodation	0.150
External works inc car parking and muga	0.225
1 FE expansion	1.800
Nursery	0.600
Fees and surveys	0.225
Total	3.000

Costs are expected to be contained within the budgetary provision available.

Revenue Implications for schools

The running costs of providing an additional form of entry such as teaching and support staff will be met from the school's own delegated budget. Schools' delegated budgets are calculated based on the number of pupils on roll at the previous October. With an increased roll, the school will therefore receive a larger budget from which to meet the costs.

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The additional pupil numbers admitted to the school in September will not have been on roll at the previous October census so additional funding is required for the period September to March each year as the school expands from 1 to 2 forms of entry until it is 2 forms of entry in every year group. This is met from the Schools' Block of the Dedicated Schools Grant which includes an element for pupil growth.

The Government has announced provisional funding arrangements for pupil growth for 2019/20 which is now allocated to local authorities on a formulaic basis. Once final details are announced the amount the LA can allocate to expanding schools will be calculated.

The additional costs incurred by the school in providing 30 nursery places will be met from the Early Years Block of the Dedicated Schools Grant based on a formula comprising of a basic hourly rate and an hourly rate reflecting deprivation. These rates will be applied based on the number of nursery pupils on roll throughout the financial year.

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

Costs estimates are prior to any tender process and therefore may differ following the procurement process. Should cost estimates exceed the existing budgetary provision in the first instance it would look to be funded by a virement from within the overall schools expansion programme. Should this not be possible an alternative source of funding would need to be secured prior to the award of any contract.

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

The human resources implications will be managed by the school with Education HR support where appropriate. There is likely to be a need for both recruitment of new and reorganisation of current teaching and support staff. The school will undertake both the recruitment and selection and organisational change processes in accordance with the existing and relevant policies and procedures.

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**.

BACKGROUND PAPERS

Appendix 1 – Decision-maker guidance
Appendix 2 – Phase 4 EIA

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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:

Cabinet Portfolio held:

CMT Member title:

Head of Service title

Other manager title:

Date:

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Committee Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on 6/12/2018

Signed 

