

MUNICIPAL YEAR 2008/2009 REPORT NO. 203

MEETING TITLE AND DATE:
Cabinet - 4 March 2009

Agenda – Part: 1

Item: 9

REPORT OF:

Joint Interim
Director of Education, Children's
Services and Leisure

**Subject: Additional Primary Pupil Places
2009/10 Onwards: Implementation Plan
and Funding Strategy**

Contact officer and telephone number:
Chris Graham Tel: 020 8379 3442
Email: chris.graham@enfield.gov.uk

**Cabinet Member consulted: Councillor
Glynis Vince**

1. EXECUTIVE SUMMARY

This report takes forward the implementation of recommendations agreed in earlier Cabinet and portfolio reports proposing a five-year capital strategy to add nine forms of entry across Enfield's primary schools. In order to progress the first tranche of three building expansion schemes, further allocations are proposed from capital resources already earmarked for the provision of additional primary places in the Council's capital budget. A funding strategy is proposed in order to take forward a further five expansion schemes and the provision of two forms of entry within the Oasis Academy Hadley.

2. RECOMMENDATIONS

It is recommended that:

2.1. the Governing Bodies of St John and St James CE, St Mary's Catholic and Cuckoo Hall Schools are asked to agree, as admissions authorities, to the permanent expansions of their schools with effect from September 2009.

2.2. the Governing Body of St Michael's CE School is asked to agree, following further consultation and feasibility appraisal, to the permanent expansion of the school with effect from September 2010, subject to approval of the funding strategy set out in this report.

2.3. other schools in the Enfield Town area are approached with a view to admitting an additional Reception class in 2009/10 in the absence of additional places at St Michael's CE School.

2.4. design to tender work proceeds on schemes at Firs Farm, Eversley, Honilands and

Suffolks Schools and that the agreement of Governing Bodies is sought to the implementation of their expansion schemes and the admission of additional pupils from September 2009, subject to approval of the funding strategy set out in this report.

2.5. work proceeds to develop a scheme to provide two primary forms of entry within the Oasis Academy Hadley, subject to Council's approval of the 2009/10 Capital Programme.

2.6. the Authority continues to pursue with the Archdiocese of Westminster options for the future provision of additional Catholic primary school places.

2.7. A £400k provision in 2009/10 be made in the short term for the building works necessary to accommodate additional pupils at Alma, Chesterfield and Houndsfield Primary Schools to ease the Authority's immediate problems with the shortage of pupil places.

2.8. further resources are allocated for the various schemes as set out in Appendix 1 of this Report including

- £3.2m to enable the completion of the main phase of works at St John and St James CE School, bringing the total scheme allocation to £6.5m;
- £2.5m to enable the completion of the expansion scheme at St Mary's Catholic School, bringing the total allocation to £4.2m;
- £4.927m to enable the completion of the expansion scheme at Firs Farm School, bringing the total allocation to £7.6m;

2.9. Approval is given to the virement of £10.631m from within the overall provision in the approved ECSL Capital Programme to fund additional primary school places.

2.10 that the funding risks identified within this report regarding the elements of unsecured resources required to implement this strategy are noted and that individual schemes can only progress once the funding becomes secure.

3. BACKGROUND

3.1 In common with many other education authorities in London, Enfield subscribes to the school roll projections service of the Greater London Authority (GLA). Annual projections are prepared on the basis of the January Schools Census; in preparing these projections, the GLA receives its basic population data from the Office for National Statistics (ONS).

3.2 ONS data indicates a significant and continuing increase in the birth rate in Enfield in recent years. Between 2001/02 and 2005/06 the rate of growth in the Borough was 17.5%, second only in London to Greenwich (20.7%). Enfield is one of four boroughs where annual births have increased by over a thousand during this period.

3.3 The reports to Cabinet on 6th February 2008 and 22nd May 2008 set out the growth in demand for primary school places from 2008/09 onwards

predicted in the GLA's 2007 projections, which reflected not only the effects of increased housing and migration but also the sharp and sustained rise in the birth rate described above.

- 3.4 The Primary Strategy for Change, submitted to the DCSF in June 2008, proposed a five year plan to add primary places, building up by 2012/13 to a total of 9.5 FE, i.e. the addition of 270 places in each age group.
- 3.5. On 2 April 2008, Cabinet agreed that the Governing Bodies of St. John and St. James' CE Primary School and St. Mary's RC Primary School and their respective diocesan authorities be advised of the Authority's agreement that work should continue on the schemes to enable the Schools to provide additional places on a permanent basis from September 2008 onwards in order that the admission numbers of both schools be increased to 60 from September 2008.
- 3.6. On 22 May 2008 Cabinet agreed recommendations for the investigation of options for securing additional places at a range of schools. It was also agreed that a further portfolio report should be prepared for the approval of the Cabinet Member for Education, Children's Services and Youth.
- 3.7. On 10 November 2008, The Cabinet Member for Education, Children's Services and Youth agreed recommendations in a portfolio report that allocations should be made to schemes at St Mary's Catholic School (£1.7m), St John and St James CE School (£3.3m) and Firs Farm School (£3.3m) from the first tranche of resources in the Council Capital Programme for primary school expansions. It was also agreed that feasibility studies and consultations should continue in relation to expansion proposals at St Michael's CE, Cuckoo Hall, Eversley, Honilands and Suffolks Primary Schools. Further decisions were made as follows:
 - That the schemes for permanent expansion initially proposed for Walker and Lavender Primary Schools were not progressed further.
 - That a feasibility study was completed in relation to the proposal to expand Capel Manor Primary School by 1FE, keeping this scheme in reserve in case circumstances arose in which (i) it was needed and (ii) the site planning constraints could be overcome.
 - That action was taken as necessary with the Westminster Diocese Education Service and the Cockfosters School Group to develop options for providing a 1FE Catholic primary school on the site of the Vita et Pax community, making additional places available from September 2010.
 - That bids to the Targeted Capital Fund were submitted for specific schemes with a view to securing maximum funding, and that all possible steps were taken to draw in and lobby for additional resources for primary school expansions.

- That action was taken as necessary to commission the procurement of temporary classrooms to ensure that additional pupils were accommodated in September 2009 while construction work proceeded to deliver permanent accommodation (at Eversley, Honilands and Suffolks Schools).
- That in the event of the preferred site being procured for the new Academy, steps were taken to incorporate provision of two primary forms of entry, in consultation with Oasis Community Learning, Partnerships for Schools and the DCSF.
- That a further report in the New Year would set out the final recommendations on all schemes for which strategies had been agreed for permanent expansion.

4. PROGRESS AND PLANS FOR ALL SCHEMES TO ADD 9.5 PRIMARY PLACES ON A PERMANENT BASIS

4.1. Schemes fully funded from approved resources for additional primary school places and the Primary Capital Programme.

St John and St James CE School: expansion from 1 to 2FE.

An additional 1FE of Reception places was added 2008/09. A planning application has been submitted, a statutory notice is scheduled for publication in March 2009, and the main contract will be tendered by June. It is proposed that the Governing Body as Admissions Authority is asked to give its final approval to the permanent expansion of the school to 2FE.

St Mary's Catholic School: expansion from 45 to 60 places.

An additional 15 Reception places were added in 2008/09. A planning application has been approved, a statutory notice has been published for the enlargement of the School, a design has been agreed by the Governing Body and tenders for the main contract will be returned on 27th February with a view to commencing work at the School at Easter 2009. It is proposed that the Governing Body as Admissions Authority is asked to give its final approval to the permanent expansion of the school to two forms of entry (2FE).

Firs Farm School: expansion from 2 to 3FE.

An additional 1FE of Reception places is proposed for September 2009. Detailed design is under way in preparation for the submission of a planning application and the publication of a statutory notice in March/April and for the tender of the main contract in July. It is proposed that the Governing Body is asked to give its final agreement to the scheme.

4.2. Further Expansion Schemes

Cuckoo Hall School: expansion from 3 to 4FE.

An additional 1FE of Reception places is proposed for September 2009. The Governing Body as admissions authority has received a proposal from the Authority for the expansion of the School on its existing site, with some possible enlargement to incorporate the former Salisbury Design and Technology Block and car parking areas. Recommendations in the proposal include (i) the development of a brief in consultation with the Governing Body for a feasibility study to consider options for permanent expansion, (ii) a short term action plan to admit additional pupils to both Reception and Year 1 in September 2009 (or earlier if possible, to meet an immediate deficit of places in the area); it is proposed that the Design and Technology Block, once refurbished, might provide some of the necessary additional space to make this possible. It is recommended that the agreement of the Governing Body is sought to the development and implementation of a scheme for the expansion of the School. At an initial meeting to receive the proposal, governors agreed to work with the Authority on a feasibility exercise.

Eversley and Honilands Schools:

Plans for expansion to 3FE from September 2009 have been developed through feasibility studies and agreed in principle by the Governing Bodies of both schools. It is recommended that work proceeds on progressing the design to tender of both schemes and that the agreement of the Governing Bodies is sought to the implementation of the schemes and the admission of additional pupils from September 2009.

St Michael's CE School: expansion from 1 to 2FE.

A feasibility study has been completed and an expansion project has been agreed in principle by the Governing Body subject to certain criteria being met. A number of concerns from parents and governors remain to be resolved, and the Governing Body as Admissions Authority has decided to defer the proposed expansion from September 2009 to September 2010, with a view to reaching a final decision in June/July. In the meantime, further building design and traffic impact issues will be investigated. It is proposed that the Governing Body is asked to agree, following further consultation and feasibility appraisal, to the permanent expansion of the school with effect from September 2010. It is recommended that other schools in the Enfield Town area are approached with a view to admitting an additional Reception class in 2009/10 in the absence of additional places at St Michael's.

Suffolks School: expansion from 1 to 2FE from September 2009.

A plan for expansion was developed from a feasibility study and considered by governors in December 2008. Work is ongoing to resolve issues of concern raised by governors. It is recommended that work proceeds on progressing the design to tender and that the agreement of the Governing Body is sought to the implementation of the scheme and the admission of additional pupils from September 2009.

Oasis Academy Hadley: Proposed provision of 2FE of primary places from September 2012.

A submission has been made to the Council for £8m to provide 2FE of primary places within the Academy scheme. This is being considered for inclusion in the Council Capital Programme as part of the current budget setting process.

5. PROVISION OF CATHOLIC PRIMARY PLACES

5.1 In relation to the proposal to develop options for a 1FE maintained primary school on the site of the Vita et Pax Community in Southgate, consultation has taken place with the Westminster Diocese Education Service, the Cockfosters School Group, the parish and the trustees. The trustees and parish priest have gathered evidence indicating that the site could feasibly accommodate a 1FE primary school; however they have concluded that they cannot commit to the scheme within the required timeframe.

5.2 There remains an issue of unmet demand for Catholic places in the Cockfosters area and the Authority also continues to seek within its school organisation planning to maintain the proportion of Catholic and Church of England places in its overall provision of primary school places. In these circumstances, it is proposed that the Authority pursues with the Westminster Diocese Education Service alternative options for the future provision of additional Catholic primary school places, while acknowledging that the Vita et Pax trustees may wish to re-initiate the proposal on their site in the future should their circumstances change.

6. SHORT TERM MEASURES TO PROVIDE ADDITIONAL PUPIL PLACES

6.1. In order to alleviate the immediate severe pressure on primary school places and in advance of the permanent expansion proposals referred to in this report, it will be necessary to undertake some emergency measures at several schools that are willing to assist the Authority.

6.2. Alma Primary School will be able to accommodate 30 reception pupils on a part time basis and Chesterfield Primary School can accommodate 30 Year 1 pupils as soon as possible after half term, subject to an additional mobile classroom being provided on each site from September 2009.

6.3. Houndsfield Primary School will also be able to accommodate a bulge reception class as soon as work has been undertaken to allow the transfer of the Speech and Language Unit from its present premises into the main School building.

6.4. It is estimated that up to £400k will be required for the building works and furniture and equipment for these additional classes.

6.5. Officers will also approach schools in the Enfield Town area to investigate the feasibility of admitting additional reception classes from September 2009.

7. ALTERNATIVE OPTIONS CONSIDERED

- 7.1. Officers have explored the options to increase the provision of places to meet the short term surge in demand and anticipated long term needs, using desk top studies, site visits and feasibility studies. Efforts have been directed towards schools in areas of the Borough where demand for additional places is likely to be highest and that have sites suitable and sufficient for permanent expansion to meet the projected long term demand for additional places. Consideration of suitable schools has centred not only on their location and site but also whether expansion would be beneficial to the standards of their accommodation and levels of attainment. Many community schools in the Borough have already been expanded in recent decades to meet previous increases in demand for places, so a number of the remaining options have emerged in the voluntary aided sector.

8. REASONS FOR RECOMMENDATIONS

- 8.1 The local authority has an overriding statutory duty to provide sufficient pupil places to meet anticipated demand as near as possible to the areas of this demand.
- 8.2 This duty cannot be discharged with the current capacity of the Borough's primary schools.
- 8.3 The schemes recommended in this report have the potential to provide the places needed within the required timescale.
- 8.4 Levels of specific government grant and borrowing approvals are insufficient to address the scale of need for additional primary places in Enfield and a number of other Outer London boroughs

9. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS

9.1. Capital Implications

- 9.1.1 The ECSL December 2008 Capital Monitor has identified net additional pressures of £1.960m to be funded from the Council's general capital resources by the end of 2012/13. This is mainly as a result of additional costs relating to the procurement of the Oasis Academy Hadley site. Therefore the immediate priority is to identify any uncommitted capital funding to offset this projected net overspend. It is proposed that this funding can be found initially from the £8m of Targeted Capital Funding (TCF), which is within the existing programme although it has not yet been fully allocated to schools. However there are a number of other approved schemes, which could be reviewed as an alternative.

- 9.1.2 In relation to the subject of this report Appendix 1 sets out the budget targets for schemes to provide all of the planned 9.5 FE primary places. In some cases the target figures in Appendix 1 reflect detailed designs, and in others they are based on early estimates of cost. Budget planning will take account of changes to estimates as schemes develop. However every effort will be made in consultation with schools and the dioceses to achieve best value/savings in the design and delivery of schemes in order to stay within the target figures. The estimates also include provision for professional and technical fees.
- 9.1.3 Appendix 1 also identifies the secure sources of funding from within the existing approved capital programme and the as yet unsecured external bid for Targeted Capital funding. This is a bid to the DCSF for Targeted Capital funding within the category "Expansion of Popular and Successful Schools" for the expansion schemes at Firs Farm, St John and St James and St Mary's Schools which if approved could draw in additional funding of up to £7.61m. A decision on the bid by the DCSF is expected by early March. If the bid is unsuccessful then the shortfall in funding will require the number of schemes to be reduced or alternative funding from within the existing programme identified.
- 9.1.4 Provision has been included in the Council's Capital Programme for £10m for primary school places. Of this sum, £61k has been used to supplement the further provision of £300k for temporary places for September 2008, leaving a balance of £9.939m.
- 9.1.5 The DCSF will also make available a total of £12.492m as the first tranche of funding under the Government's Primary Capital Programme (£5.057m in 2009/10 and £7.435m in 2010/11). This funding is approved in principal and it is proposed to use the whole allocation to fund the projects to provide additional primary school places.
- 9.1.6 Additional funding allocations are now proposed for the first tranche of expansion schemes as follows:
- £3.2m to enable the completion of the main phase of works at St John and St James CE School, bringing the total scheme allocation to £6.5m;
 - £2.5m to enable the completion of the expansion scheme at St Mary's Catholic School, bringing the total allocation to £4.2m;
 - £4.27m to enable the completion of the expansion scheme at Firs Farm School, bringing the total allocation to £7.57m.
 - £0.4m to enable short term measures at various schools.
- 9.1.7 The total estimated cost of providing temporary classrooms for September 2009 at Eversley, Honilands and Suffolks Primary Schools will be £720k. This will also be funded from within the specific allocation for primary places.

- 9.1.8 The funding of £22.431m will be sufficient for the schemes indicated in paragraphs 10.1.5 and 10.1.6 totaling £19.39m. This will leave a balance of £3.041m to fund (i) design works on the schemes at Eversley, Honilands and Suffolks Schools, (ii) feasibility, design and enabling works at Cuckoo Hall and St Michael's Schools, (iii) further studies on the possible expansion of Capel Manor School and (iv) the investigation of options to provide additional Catholic primary school places.
- 9.1.9 The cost of providing short term places for the possible expansion of Cuckoo Hall School and St Michael's CE School is not yet known, as the consultations with the Governing Bodies are still ongoing. If these schemes do go ahead the cost of any such work will be contained within available resources for these particular schemes.
- 9.1.10 A further bid of £8m for the primary places at Oasis Academy Hadley was considered and agreed by Cabinet (11.02.09) as part of the budget setting process for 2009/10.
- 9.1.11 However this will still leave a shortfall of £10.631m. It is proposed to fund the balance of expenditure required by a virement of existing resources from within the approved ECSL Capital Programme. There will be a further allocation of £2.569m from the £8m Targeted Capital Funding leaving a balance of £3.471m to be allocated. The remaining £8.062m of resources has been identified following a review of the uncommitted schemes within the current programme.
- 9.1.12 There are a number of funding risks identified within this report regarding the elements of unsecured resources required to implement this strategy. If approved individual schemes can only be allowed to progress once the funding becomes secure. The ECSL programme will need to be carefully monitored to ensure that any individual scheme overspends are funded by compensating savings.
- 9.1.13 As the provision of school places is a Council's statutory responsibility schools have not been asked to make a financial contribution towards these expansion proposals from their Devolved Formula Capital grants. Schools receive this DSCF capital grant each year, which they largely use to fund their repairs and maintenance responsibilities and improvements to the school premises that they wish to make. It may be an option to fund school capital expenditure from Dedicated Schools Grant, although this would require the approval of the Schools Forum

9.2. Revenue Implications

- 9.2.1. The provision of additional places at primary schools will result in additional staffing and running costs. These will be funded from within the schools delegated budget, which will automatically increase as it is based on a pupil number based formula.

9.2.2. The ECSL Capital programme has been remodelled to assess the impact of this revised programme on the financing costs in the revenue budget. The Capital Monitoring shown elsewhere on the agenda identifies slippage in capital spending, which taken with the funding strategy for this proposal will result in a saving of £380k in 2009/10. As the overall ECSL programme is within the current total, subject to the bid for TCF for the expansion of popular and successful schools, there will be no material on going revenue effect in future years as a result of this proposal assuming that the TCF bid is successful.

9.3. Risk Management Implications

9.3.1. The risk of not pursuing the recommendation in this report is that the Authority will not have sufficient primary school places available to meet the projected demand in 2009/10 and subsequent years and will thereby be unable to meet its statutory duty in this respect. This risk may now need to be considered for inclusion as a specific risk in the Council's Corporate Risk Register.

9.3.2. There is a risk that the cost of the building projects will exceed the target figures. This will need to be balanced against the possible fall in the building indices given the state of the economy. The target figures already assume an element of cost reductions as a result of the economic climate and modular building solutions.

9.3.3 An additional risk is that the Council's bid for Targeted Capital funding of £7.6m for the expansion of Firs Farm, St John and St James and St Mary's Schools will be unsuccessful in part or in whole. Evidence has previously been provided to London Councils as part of the work undertaken by the organisation to assess the need of London authorities faced with rising demand for primary places and inadequate resources from Central Government. The issue has been considered by the London Councils Leaders' Committee and representations have been made to the DCSF. The DCSF will be further lobbied to consider the Authority's circumstances failing which the balance of funding required will need to constitute an additional virement from existing capital resources in the ECSL Programme. As mentioned above the outcome of the Council's bid should be known in early March.

There are a number of potential funding issues within the ECSL Capital Programme. It may be necessary to review the overall programme to ensure that the risk of new strategic developments placing funding pressures upon limited capital resources are minimised. This may mean that some schemes are reprioritised or deleted in order to meet the Council's statutory obligations.

9.4 Legal Implications

Section 14 of the Education Act 1996 provides that a Local Education Authority ('LEA') has a duty to ensure the provision of sufficient schools in its area.

Section 13 provides that the LEA has a duty to contribute to the spiritual, moral, mental and physical development of the community by securing that efficient primary education is available to meet the needs of the population in the area.

Section 508 provides LEAs with a duty to secure that facilities for primary education includes adequate facilities for recreation, social and physical training.

Section 1 of the School Standards and Framework Act 1998 and the Education (Infant Class Sizes) (England) Regulations 1998 imposes a statutory limit of 30 children to be educated in one class.

The proposals to reorganise school places in Enfield to better reflect demand are therefore in accordance with these statutory duties.

Section 19 of the Education and Inspection Act 2006 provides the LEA with extended powers to propose the enlargement of school premises. Regulations may be prescribed under Section 21 for the publication and determination of proposals under Section 19.

In addition, regard must be had to the Contract Procedure Rules for the tendering of any contracts.

9.5 Property Implications

9.5.1. This is a large programme of work requiring significant input from construction professionals. Whilst the voluntary aided schools will obtain their professional support through the Diocesan Authorities, Property Services will provide support to the Authority through Architectural Services, augmented where necessary by external consultants on framework agreements. There is also the possibility that some services might ultimately be provided by Norfolk Property Services should the Architectural Services team transfer to NPS under a Joint Venture arrangement.

9.5.2. The construction work will be procured in accordance with the Council's Contract Procedure Rules either through the EXOR approved list of contractors or potentially through an OJEU compliant process where the value of individual projects exceeds the relevant threshold. Economies will be explored by combining projects to achieve economies of scale or through the use of system build solutions where this is appropriate.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

- 10.1.** The provision of additional places at the schools identified in this report will enable the authority to meet its statutory duty to ensure the availability of sufficient pupil places to meet demand.
- 10.2 The strategy presented in this report is consistent with the national agenda for expanding popular and successful schools and with the principles and criteria set out in Enfield's Primary Capital Programme: Strategy for Change (June 2008).
- 10.3. As primary school buildings are extended and remodelled, the aim will be to provide high quality sustainable facilities, designed to enable learning for the 21st century and to further improve levels of attainment.

11 COMMUNITY IMPLICATIONS

- 11.1. The proposed expansions of the schools identified in this report will provide additional places in parts of the Borough where pressure on local schools is forecast to be greatest. The extra places will increase parental choice in these areas and will ensure that young children will not have to travel unreasonable distances to and from school.
- 11.2 The schools where expansion is proposed in this report admit pupils from a wide range of ethnic backgrounds. Increasing the intake at these schools will make places available to more pupils from the existing ethnic groups they currently accommodate and from others in the local areas, thus enhancing community cohesion.

13. PUTTING ENFIELD FIRST

- 13.1. The proposed expansions will address the Council's aims as follows:

Aim 2 – “High Quality Education and Lifelong Learning” Key Objective 2a – Maximise the resources available to support educational attainment.

Background Papers

Enfield Schools Strategy for Change - January 2008

Cabinet 6th February 2008 - Report No. 218 of the Director of Education, Children's Services & Leisure - “Additional Primary School Places 2008/09 Onwards”

Report to Council 27th February 2008 - “Budget 2008/09 and Medium Financial Plan”

Report to Strategic Leadership Forum 12th March 2008 - “Primary School Expansions”

Cabinet 2nd April 2008 - Report of the Director of ECSL - “Primary School Expansions – Short Term Planning”

Cabinet 22nd May - Report No. 7 of the Director of ECSL – “Primary Capital Programme: Overall Strategy and Plan for Additional Pupil Places”.

Primary Capital Programme: Strategy for Change

Portfolio report October 2008: “Additional Primary Pupil Places 2009/10 onwards”