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THE CABINET

**Wednesday, 19th October, 2016 at 8.15 pm in the Conference
Room, Civic Centre, Silver Street, Enfield, EN1 3XA**

AGENDA – PART 1 TO FOLLOW PAPERS

Please find attached a copy of the following report which was marked as “to follow” on the agenda for the above meeting, as previously circulated.

16. UPPER SECONDARY AUTISTIC PROVISION (Pages 1 - 12)

A report from the Director of Finance, Resources and Customer Services, Chief Education Officer and Director of Schools and Children's Services is attached. **(Key decision – reference number 4293)**

(Report No.108)
(9.10 – 9.15 pm)

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MUNICIPAL YEAR 2016/2017 REPORT NO. **108**

MEETING TITLE AND DATE:

Cabinet – 19th October 2016

JOINT REPORT OF:

Director of Finance, Resources & Customer Service, the Chief Education Officer & the Director of Schools and Children's Services

Agenda - Part: 1	Item: 16
Subject: Upper Secondary Autistic Provision (USAP) Wards: All Key Decision No: 4293	
Cabinet Member consulted: Cllrs Orhan, Lemonides & Anderson	

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1. EXECUTIVE SUMMARY

- 1.1 A report to Cabinet and Council on the 20th January 2016 under KD 4209 approved the acquisition of the former Minchenden School site, Southgate from the College for the provision of an autistic upper secondary school.
- 1.2 Cabinet further approved the feasibility to work up residential schemes on two further sites, Southgate Circus Library and the Alan Pullinger Youth Centre site, together with a full feasibility for the Farbey Building, the Mews Building and part of Leigh Hunt Drive Car Park for the Minchenden ASD Provision.
- 1.3 The earlier report proposed the development of a Southgate Autistic Hub, combining the resources of the Council, Barnet and Southgate College's new Learning Disabilities (LLDD) and another partner delivering a dedicated unit with highly specialised support infrastructure including day care units and overnight stay to provide support to those requiring highly specialist therapeutic support and greater pathways to independent living from early adulthood, which will enable students to progress to employment, supported employment, further or higher education, or independent living.
- 1.4 This report purely now focusses on the delivery of the autistic provision as a separate key standalone project as there is no requirement for capital borrowing or cross subsidisation of funding from other residential developments to finance the redevelopment of the USAP as funding of both the purchase of the site and the necessary conversion work will now be funded from central government Basic Needs Funding.
- 1.5 The need for additional Special School places in the Borough was identified within the July 2015 Cabinet Report on school places (KD4141) and further

reiterated the need within the USAP Report presented in January 2016 to Cabinet and Council.

- 1.6 The Council has acquired the Minchenden School site (4.4 acres) from Barnet and Southgate College for the purpose of providing 120 in-borough places for autistic children.
- 1.6 Members are asked to note the proposed funding options for both the purchase of the land and the cost of the conversion work to the Farbey building. In the original January Cabinet report it was proposed that both the purchase of the site and the conversion cost would be met from the sale of council assets namely the Southgate Library site and Alan Pullinger centre. However, it is now proposed that both the purchase of the site and the cost of conversion of the Farbey will be met from the Basic Needs Funding (BNF).
- 1.7 This report now seeks the authority of Cabinet to proceed with the scheme to completion and deliver the Upper Secondary Autistic Provision on site 2a, The Farbey Building.

2. RECOMMENDATIONS

It is recommended that Cabinet

- 2.1 approves the redevelopment of the Farbey Building (site 2a) to provide a 120 place upper secondary autistic unit;
- 2.2 Allocates £10.5m of Basic Needs funding to fund the redevelopment of the Minchenden Site.
- 2.3 Notes that a further report will be produced in relation to the disposal of site 2b Southgate House.
- 2.4 Delegates authority to the Director of Finance, Resources and Customer Services and the Chief Education Officer in conjunction with Cabinet Member Finance and Efficiency and Cabinet Member for Education, Children's Services and Protection to Award and appoint a contractor(s) for the demolition/strip out and redevelopment of the site.
- 2.5 Continued delegated authority to the Cabinet Member for Education, Children's Services and Protection and the Cabinet Member for Finance Efficiency in consultation with the Director of Finance, Resources and Customer Services, the Chief Education Officer or the Assistant Director of Strategic Property Services, to take decisions on:
 - The individual site and preferred partners, and decisions on statutory requirements, to meet the need for extra pupil places, both mainstream and special, up to 2020;
 - Conducting suitable procurement exercises and either calling off EU-

	compliant framework agreements or conducting suitable procurement exercises, entering into contractual arrangements with successful contractors and placing orders for any capital works required for the projects; and
	<ul style="list-style-type: none"> • Conducting any necessary land transactions, including acquisitions by way of freehold or leasehold, as the individual scheme is developed.
2.6	Continued delegated authority to the Director of Finance, Resources and Customer Services and the Chief Education Officer to take decisions on the: <ul style="list-style-type: none"> • Programme management arrangements and operational resourcing, including procurement of any required support services; • Commencing feasibility or initial design to inform pre-application discussions with planning and procurement of resources for this activity; • Cost estimates, budgets and spend for projects in advance of updates to the Capital Programme; • Submission of planning applications; and • The appropriate procurement routes for professional support services and construction for individual schemes.
2.7	Notes that the total expenditure for the school development above is within the total budget approved as part of the Programme. The Programme is reported quarterly and any variations to the costs approved in this report and others, which would include the supplementary package of works, will be managed through the scheme of delegation for SEP Projects

3. BACKGROUND

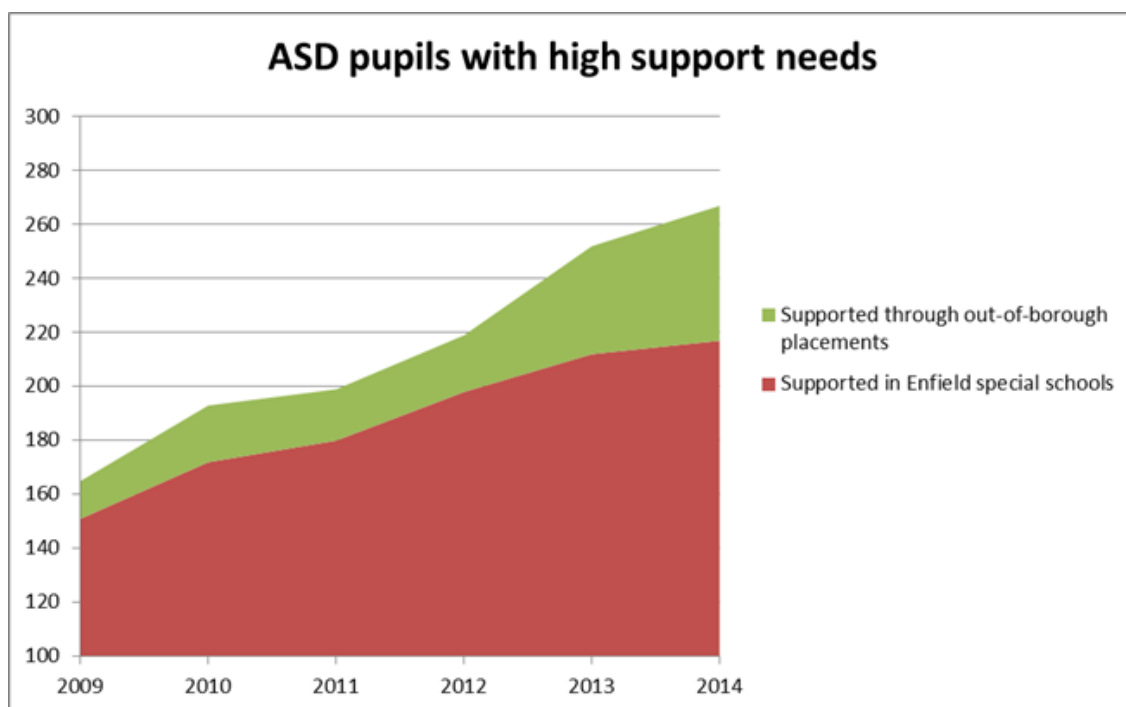
- 3.1 This report provides the results of the feasibility undertaken on the autistic provision. In January 2016, a report to Cabinet and Council outlined the strategy and solution to the rising need for school places for the Autistic Spectrum Disorder (ASD) segment of pupils within the Borough.
- 3.2 The report also approved the feasibility on the sites around Southgate Circus. These sites will be the subject of further reports to Cabinet outlining a future strategy as individual sites in their own respect.
- 3.3 The report highlighted a potential 'special' partnership with two other providers (Barnet & Southgate College) and another specialist to develop a high-quality dedicated day/overnight autistic unit. This hub of excellence will provide greater life chances, full therapeutic support and greater pathways to independent living from early adulthood, which will enable students to progress to employment, supported employment, further or higher education, or independent living.

- ## Site 2A and 2B Minchenden School

- 3.5 The age of the buildings range from the Mansion House being built in 1780 to the last construction in the 1960's of the gatehouse which was used by the College to assist Special Educational Needs students to cope with living in the community.
- 3.6 It is proposed that the northern part of the site (the Farbey building, open sided work shop, Mews building, and adjacent 50 space car park) will be retained to deliver the Upper Secondary Autism Provision, known as Site 2B.
- 3.7 The remainder of the site, Site 2A, will be the subject of a further report detailing the options available to the council in relation to its disposal.

STRATEGIC NEED

- 3.8 The increase in the high support need categories, particularly ASD has placed pressure on capacity. The special schools that predominately educate children with high ASD support needs are Russet House and Durants. In recent years demand for places has been such that their capacity has been increased on a temporary basis through bulge class arrangement and out-of borough placement at Independent provision.
- 3.9 The ideal operational capacity at each school is 92 places. Russet currently has 111 pupils and Durants has 106. The additional places through bulge arrangements are effectively the capacity gap for permanent provision which needs to be addressed.
- 3.10 In terms of out-of-borough placements, there will always be some requirement to use this option for particular pupils who have very particular support needs but this option has had to be used for pupils whose needs could have been met within the Local Authority but there is currently no capacity within its provision. Historically this figure was around 20 so for this exercise we assume that is the norm and anything above that level represents a gap in capacity. The increase in out-of-borough placements has been stark in recent years, as shown in Figure 2 overleaf.
- 3.11 The assessment of current capacity is that there is a gap of 63 places that needs to be addressed as an immediate priority given the high costs of out-of-borough placements and the strain of service provision in the two special schools, with the new USAP provision this will be addressed by shaking up the current schools and creating a lower at Russet House, a middle at Durants and an Upper at Minchenden.

Figure 2 – Out of Borough Placements

The table below summarizes the current capacity position.

School	Specialism	Ideal Numbers	Additional temporary capacity	Total current capacity
Russet House	ASD - Autistic Spectrum Disorder	92	19	111
Durants	ASD - Autistic Spectrum Disorder	92	14	106
Out-of-borough provision	ASD - Autistic Spectrum Disorder	20	30	50
Totals		204	63	267

An assessment of future demand

- 3.12 The area of high and increasing demand is for specialist ASD provision; on this basis the projections do not cover the overall prevalence of ASD or other categories of special need.

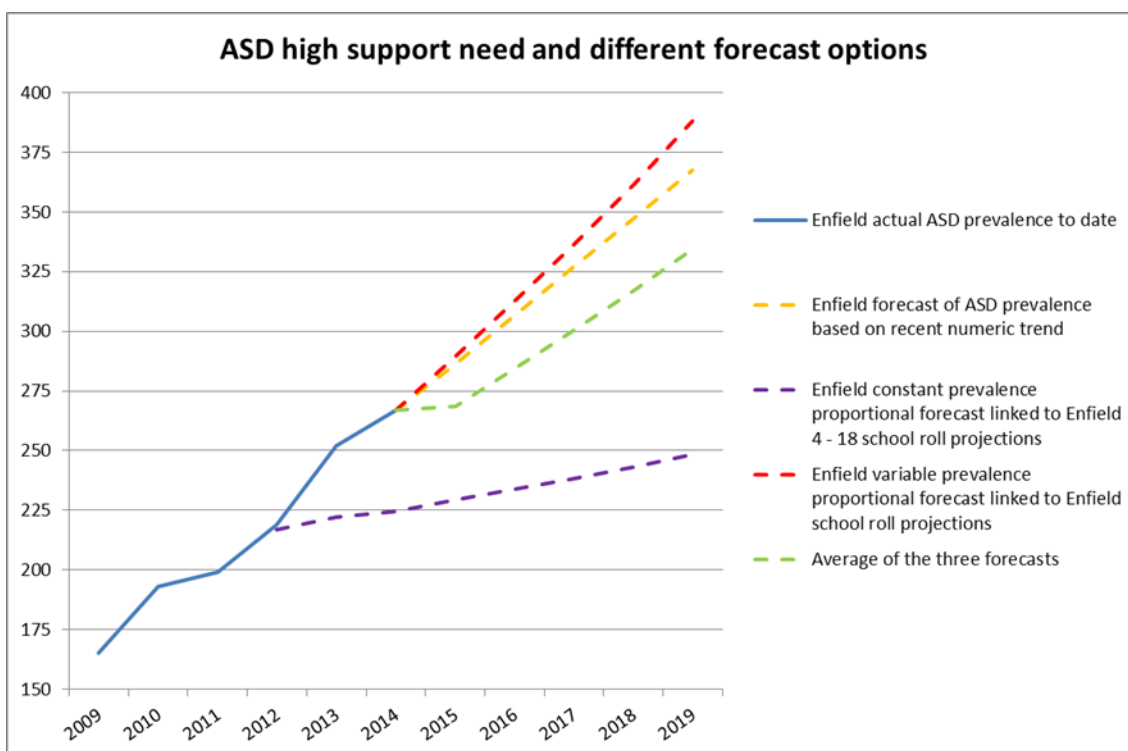
Projecting the local prevalence rate of children with high ASD support needs is difficult and a number of assumptions have to be made, which could ultimately undermine the data. The main assumptions are as follows:

- that historic and current demand for high support ASD school places in Enfield is the total of the children at Durants and Russet schools and those who have been placed out of borough; and

- operational or policy factors that could affect the demand for high support ASD, such as changes in diagnosis or the statement of educational need/ EHCP process, cannot be accounted for and as such are ignored

Given the uncertainty around factors that could see an increase in demand for high support ASD, the recommendation is to use three alternative methods of projection then take an average of the three to introduce an element of constraint. This can then form the basis of planning future provision requirements. The three options will be used to forecast as set out below. The actual numbers for high level ASD support 2009-14 are shown and form the basis of each forecast along with the Enfield school roll projections (GLA +5%).

Figure 3- Forecasted Demand



- 3.13 The table below shows the estimated demand against current capacity and ideal delivery capacity (both static at current levels) with a calculation to show the capacity gap and delivery requirements that would improve both the quality of provision and ongoing revenue costs of service delivery, ie by reducing reliance on out-of-borough placements .

	2015	2016	2017	2018	2019
Target capacity requirements for ASD special school places	269	284	300	317	335
Current total capacity	267	267	267	267	267
Current ideal delivery capacity	204	204	204	204	204
Capacity gap against ideal situation	65	80	96	113	131

3.14 Having identified the increasing demand in 3.12 above, officers sought and received central government approval to redirect an element of Basic Needs Funding to support the Minchenden project.

3.15 As reported in the January report, detailed in the table below the figures show the cost avoidance if the School is opened on time, otherwise there will be those costs outlined below becoming a revenue pressure for SCS as pupils will be sent out of Borough as there will be no places within the local area for these pupils.

	Avg cost per pupil	Annual Inflation	Assumed annual net increase in pupils	Yr 1 (2016)	Yr 2	Yr 3	Yr 4	Yr 5	Yr 6 (2021)
Out of borough high support provision for ASD	£65,814	2%	17	£1,141,220	£2,328,088	£3,561,975	£4,844,286	£6,176,465	£7,559,993
In borough high support provision for ASD	£31,094	2%	17	£539,174	£1,099,916	£1,682,871	£2,288,704	£2,918,098	£3,571,752
Annual difference				£602,045	£1,228,173	£1,879,104	£2,555,582	£3,258,367	£3,988,241
Accumulated difference				£602,045	£1,830,218	£3,709,322	£6,264,904	£9,523,271	£13,511,511

3.19 The recent acquisition of the Minchenden site by the Council will enable the council to satisfy the identified need for additional pupil places and the redevelopment of this site will make a strong contribution to reducing the demand for costly out of borough placements and generate cost reductions of placements.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 A full sequential test has been carried out to consider other possible locations for the special school, numerous other sites were considered in both the Council's control and in private ownership and assessed against the Building Bulletin criteria for space supplied by the Department for Education, speed of delivery/programme, cost and accessibility; Minchenden was considered as the best fit and overriding solution.

4.2 In particular two sites were tested thoroughly against suitability and viability against the Minchenden Site, one in the east of the Borough and one in the west. Both of these sites were suitable for the development of an autistic provision; however the financial cost to deliver the alternatives was several million pounds more than the Minchenden site.

4.3 Keep the status quo and provide costly out of borough placements to an increasing cohort of ASD pupils in the Borough.

5 REASONS FOR RECOMMENDATION

- 5.1 The feasibility costs noted in the report shows that the redevelopment of the northern half of the Minchenden site can be met from existing budgets within the Schools and Children's Services Capital Programme without the requirement for cross subsidisation from other sites or borrowing from PWLB.
- 5.2 The site represents a unique opportunity to create a specialist hub for SEN/ ASD within Enfield that can be a world class offering.

6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

6.1 Financial Implications

- 6.1.1 Basic Need funding for 2016/17 and 2017/18 has been allocated to support this project
- 6.1.2 The profile of the £10.5m budget is as follows:
- | | |
|---------|-------|
| 2016-17 | £1.2m |
| 2017-18 | £4.4m |
| 2018/19 | £4.9m |
- 6.1.3 The project will be monitored as part of the Capital Programme which is reported quarterly to Cabinet and any variations to the costs approved in this report and their profiling will be managed and reported accordingly.

6.2 Legal Implications

- 6.2.1 Planning Permission will be required in respect of the proposals set out in this report and initial consultation will be in accordance with the the Town and Country Planning (Development Management Procedure) (England) Order 2015. This will require statutory and public consultation. Pursuant to the Council's constitution such will be required to be considered at planning committee. Works should not commence until such time as approval is given and any pre-commencement conditions (if required) by the planning permissions are discharged.
- 6.2.2 A competitive process that complies and is in accordance with the Council's Constitution, in particular Contract Procedure Rules, will need to be undertaken in respect of the appointment of any third party contractor. Any contract entered into for such works will need to be in a form approved by the Assistant Director Legal Services
- 6.2.3 The recommendations contained in this report are within the Council's powers and duties.
- 6.2.4 Any acquisition or disposal of land will need to be in accordance with the Council's Property Procedure Rules.

6.3 Property Implications

- 6.3.1 STACE LLP, the Council's appointed cost consultants on this project have undertaken the cost advice in respect of this development. These costs will be reviewed in time and appropriate reporting to the Core Group will take place.
- 6.3.2 The proposals set out in this report will provide an additional 120 specialist autistic school places.
- 6.3.3 Relevant stakeholder consultation will be required from the outset to support either acquisition or disposal of land and gaining planning permissions. Depending on the site and land-use designation, consultees could include English Heritage, the Greater London Authority (GLA), Sports England and the appropriate Secretary of State.
- 6.3.4 Once planning permission is gained Building Regulations including Historic England sign off will need to be adhered to as part of the enabling and construction works

7. KEY RISKS

Key Risk	Description
Planning Risk (Heritage)	The whole application site is located within the curtilage of Grade II listed property. Consultation with Historic England and CAG has been positive, however HE are a statutory consultee as part of the planning process and therefore could delay and veto the application.
Planning Risk (Traffic Impact)	As part of any planning application a Traffic Study would need to be commissioned to ensure that the traffic implications have been understood and mitigated.
Development Risk (Alternative options)	Planning permission is not obtained for the intended use. The Council could adopt one of the following two options to clawback value: <ul style="list-style-type: none"> - Resell on the open market for current use, or - Consider obtaining planning permission for a high value residential development and develop out the site.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

The development of the special school at Minchenden will allow flexibility within the education portfolio which will serve the entire borough.

This proposal will result in pupil places being created across the Borough in order to meet demand in the relevant geographical area which will also create employment opportunities for teaching and support staff. Further improvement and investment in school buildings will provide greater opportunities for enhanced community use.

8.2 Growth and Sustainability

The development will have the highest standards of Green technologies and will in turn create a safe and highly sustainable community in and around Southgate.

8.3 Strong Communities

The design and inclusive nature of a mixed tenure scheme will allow the Council to build into the fabric of the development a new safer, stronger and cohesive neighbourhood.

Improving educational outcomes assists in the creation of a stronger community, and by having the children taught In Borough assists building and keeping familiarity with their surroundings.

9. EQUALITIES IMPACT IMPLICATIONS

Corporate advice has been sought in regard to equalities and an agreement has been reached that an equalities impact assessment is not required at this stage to approve the report and the recommendations set out for delegation. However it is recommended that a Predictive Equalities Impact Assessment be undertaken at the various stages as appropriate to ensure that the works and the service benefit the community and that it is fully accessible particularly by those in the protected characteristic groups. Equalities advice will be given as required to support this.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

With regards to the development management of the site there will be set milestones to achieve within agreed timescales with a project manager tasked to deliver the scheme on time which will be the Council's appointed PM's.

The provision of additional places at the school identified in this report will enable the Authority to meet its statutory duty to ensure the availability of sufficient pupil places to meet demand.

11. HEALTH AND SAFETY IMPLICATIONS

In the short term after the acquisition, the Minchenden site will need to be made secure including all access ways and buildings.

In the longer term the school will deliver through efficiencies and secure by design, a safe and secure environment to educate the young persons of Enfield.

12. HR IMPLICATIONS

Delivering this development scheme and bringing several others forward represents a significant undertaking for the Council. Strategic Property Services will need to bring on expertise where necessary to complement existing staff.

As the projects(s) evolve there will be a requirement at different stages for further skill sets to complete various tasks, this can be achieved either through the Strategic Partnership Co-Sourcing agreement or through another short term agreement as described within the report.

13. PUBLIC HEALTH IMPLICATIONS

There are a number of implications that arise from developing a site such as this. Issues that arise during demolition and construction phases will be monitored closely and contractors will be required to work in accordance with the Considerate Constructors Scheme

Background papers

None